

Standing Appropriations Bill House File 882

Last Action:

House Floor

April 29, 2005

An Act making, reducing, and transferring appropriations, providing for fees, and providing for properly related matters and including effective and retroactive applicability date provisions.

**Fiscal Services Division
Legislative Services Agency**

NOTES ON BILLS AND AMENDMENTS (NOBA)

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EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 882 STANDING APPROPRIATIONS BILL

FUNDING SUMMARY

DIVISION I – MENTAL HEALTH ALLOWED GROWTH DIVISION II – STANDING APPROPRIATIONS

- House File 882 appropriates a total of \$128.8 million from the General Fund. This is a decrease of \$39.6 million compared to the estimated net FY 2005 appropriations for the affected budget units in this Bill. House File 882 also appropriates \$169.1 million from other funds. This is an increase of \$9.4 million compared to the estimated net FY 2005 appropriations for the affected budget units. In addition, HF 882 adds 2.8 FTE positions to the Department of Commerce.
- Makes a FY 2007 General Fund appropriation of \$35.8 million for Mental Health Allowed Growth, and specifies distribution of the funds. (Page 1, Line 3)
- Limits the following FY 2006 General Fund standing appropriations to the amounts specified to maintain the current level of funding:
 - Department of Education for Instructional Support - \$14.4 million. (Page 2, Line 12)
 - Department of Education for At-Risk Children Programs - \$11.3 million. (Page 2, Line 15)
 - Department of Education for the Educational Excellence Program - \$55.5 million. (Page 2, Line 28)
 - Department of Revenue and Finance for the Statewide Fire and Police Officer Retirement Fund - \$2.7 million. (Page 2, Line 31)
 - Department of Revenue and Finance for the Livestock Production Tax Credit - \$1.8 million. (Page 2, Line 34)
- Limits the FY 2006 General Fund standing appropriation to the Department of Education for Nonpublic School Transportation to \$8.3 million, an increase of \$318,000 compared to the estimated net FY 2005 appropriation. (Page 2, Line 21)
- Requires a Property Tax Credit Fund be established in the Office of the Treasurer, and appropriates \$159.7 million from the FY 2005 General Fund surplus to the Fund. (Page 3, Line 2)
- Notwithstanding certain General Fund standing appropriations, as well as conflicting and voting provisions of Section 8.56, Code of Iowa, and makes appropriations from the Property Tax Credit Fund for the following property tax credits and exemptions: (Page 3, Line 13)
 - Appropriates \$102.9 million for the Homestead Property Tax Credit. (Page 3, Line 22)
 - Appropriates \$34.6 million for the Agricultural Land and Family Farm Tax Credit. (Page 3, Line 25)
 - Appropriates \$2.6 million for the Military Service Tax Credit. (Page 3, Line 28)
 - Appropriates \$19.5 million for the Elderly and Disabled Tax Credit. (Page 3, Line 31)
- Reduces the State aid allocation for Area Education Agencies (AEAs) by \$11.8 million for FY 2006, maintaining the current level of reduction. (Page 4, Line 23)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 882 STANDING APPROPRIATIONS BILL

DIVISION II – STANDING APPROPRIATIONS (CONTINUED)

DIVISION III – OTHER APPROPRIATIONS

- Notwithstanding the requirement that an appropriation be made from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.5% of the Revenue Estimating Conference estimate for FY 2006 as established in December 2004. (Page 4, Line 35)
- Specifies that the Section of the Bill creating the Property Tax Credit Fund is effective upon enactment. (Page 5, Line 7)
- Appropriates \$100,000 from the General Fund to the Department of Public Health for FY 2006 to provide grants to individual patients who have Phenylketonuria (PKU) and have specific food requirements. (Page 5, Line 12)
- Appropriates \$75,000 to the Department of Cultural Affairs to match private funding for archiving the records of Iowa governors. (Page 5, Line 21)
- Appropriates \$125,000 to the Department of Transportation for the Iowa Civil Air Patrol. (Page 5, Line 30)
- Appropriates \$275,000 to the Secretary of State for administering the biennial reporting requirements in HF 859 (Cooperative Bill). (Page 6, Line 2)
- Appropriates \$200,000 to the Department of Education to implement HF 873 (Education Reform Bill). (Page 6, Line 11)
- Decreases the FY 2006 General Fund appropriation to the Administration Division of the Department of Economic Development by \$115,000. (Page 6, Line 20)
- Increases the FY 2006 General Fund appropriation for the World Food Prize by \$115,000. (Page 6, Line 31)
- Increases the FY 2006 General Fund appropriation to the Banking Division of the Department of Commerce by \$210,000 and 2.0 FTE positions to implement HF 737 (Mortgage Brokers Licensing Bill). (Page 7, Line 1)
- Increases the FY 2006 General Fund appropriation to the Professional Licensing and Regulation Division of the Department of Commerce by \$54,000 and 0.8 FTE position to implement HF 877/SF 405 (Interior Design Title Bill). (Page 7, Line 11)
- Decreases the FY 2006 General Fund appropriation to the Iowa Empowerment Fund for School Ready Children Grants by \$1.0 million to \$21.5 million. (Page 7, Line 21)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 882 STANDING APPROPRIATIONS BILL

DIVISION III – OTHER APPROPRIATIONS (CONTINUED)

- Decreases the allocation from the FY 2006 General Fund appropriation to the Empowerment Program for assistance to child care providers from \$1.0 million to \$500,000. (Page 7, Line 28)
- Increases the FY 2006 General Fund appropriation to the Student Achievement and Teacher Quality Program by \$8.9 million to a total of \$67.6 million. (Page 8, Line 2)
- Increases the FY 2006 General Fund appropriation for Community College General Aid to \$147.6 million, an increase of \$7.8 million compared to the estimated net FY 2005 appropriation. (Page 8, Line 10)
- Increases the FY 2006 General Fund appropriation to the general operating budgets of the Regents' universities by \$2.4 million to \$15.0 million. (Page 9, Line 14)
- Increases the allocation from the FY 2006 General Fund appropriation to the Regents' universities for the Veterinary Diagnostic Laboratory at Iowa State University from \$50,000 to \$1.0 million. (Page 9, Line 21)
- Decreases the FY 2006 General Fund appropriation for the Medical Assistance (Medicaid) Program by \$6.5 million. The decrease is offset by an increase in the Senior Living Trust Fund appropriation for Medicaid. (Page 9, Line 33)
- Increases the FY 2006 General Fund appropriation to the Department of Human Services (DHS) for the Child Care Assistance Program by \$9.0 million. (Page 10, Line 10)
- Increases the amount of the FY 2006 Child Care Assistance appropriation that is required to be used to provide child care assistance to low-income families. (Page 10, Line 16)
- Specifies an inflation adjustment of not less than 0.0% for the rebasing of nursing facilities' Medicaid reimbursement rates in FY 2006. (Page 10, Line 22)
- Requires the DHS to set FY 2006 provider reimbursement rates for child care providers based on the market rate reimbursement survey completed in December 2002. Requires the DHS to implement an electronic billing and payments system for child care providers, if additional federal funds are received for child care. (Page 10, Line 31)
- Increases the FY 2006 Senior Living Trust Fund appropriation by \$9.5 million to provide an inflation adjustment to nursing facilities' reimbursement rates. (Page 11, Line 9)
- Repeals the FY 2006 General Fund appropriation of \$29.6 million to the Endowment for Iowa's Health Account. (Page 11, Line 17)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 882 STANDING APPROPRIATIONS BILL

DIVISION III – OTHER APPROPRIATIONS (CONTINUED)

- Repeals the provision to reimburse the Endowment for Iowa's Health Account. (Page 11, Line 34)
- Extends the sunset and the \$29.3 million General Fund appropriation for the Early Intervention Block Grant Program (Class Size Reduction) for one year until the end of FY 2006. (Page 12, Line 13)
- Allocates \$17.8 million from the FY 2006 General Fund appropriation to the Student Achievement and Teacher Quality Program for two additional teacher contract days. (Page 12, Line 18)
- Amends HF 859 (Cooperative Bill) to specify that businesses are required to file a biennial report with the Secretary of State by March 31 of each even-numbered year. It is estimated that 70,000 business entities will file the biennial report and pay a fee of \$35.00. This will increase General Fund revenue by \$2.5 million per year. (Page 13, Line 5)
- Repeals the annual \$5.0 million standing appropriation for the Secure an Advanced Vision for Education (SAVE) Fund, retroactive to July 1, 2004. (Page 13, Line 21)
- Specifies that the Section of the Bill repealing the standing appropriation for the Secure an Advanced Vision for Education Fund, takes effect upon enactment and is retroactive to July 1, 2004. (Page 13, Line 22)
- Specifies that the Section of the Bill increasing funding for the Banking Division of the Department of Commerce is contingent upon the enactment of House File 737 (Mortgage Brokers Licensing Bill). (Page 13, Line 27)
- Specifies that the Section of the Bill increasing funding for the Professional Licensing and Regulation Division of the Department of Commerce is contingent upon the enactment of Senate File 405 (Interior Designers Title Bill). (Page 13, Line 30)

DIVISION IV – MISCELLANEOUS STATUTORY CHANGES

- Requires that the principal and interest portions of public funds deposits be covered by federal deposit insurance. Specifies that the depository is the custodian of certificates of deposit, and certificates of deposit must be covered by federal deposit insurance. (Page 14, Line 1)
- Expands the definition of "public funds" for purposes of Section 12B.10, Code of Iowa, to include funds of the State or a political subdivision or instrumentality of the State including a county, school corporation, special district, drainage district, unincorporated town or township, municipality, or municipal corporation or any agency, board, or commission of the State or a political subdivision. Moneys of the State include moneys which are transmitted to a depository for purposes of completing an electronic financial transaction. (Page 14, Line 27)
- Specifies that certificates of deposit that cover uninsured public funds are not considered public fund deposits for purposes of calculating the amount of collateral required to be pledged. (Page 14, Line 30)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 882 STANDING APPROPRIATIONS BILL

DIVISION IV – MISCELLANEOUS STATUTORY CHANGES (CONTINUED)

- Requires banks to include all deposits from customers or other financial institutions authorized in Section 36 of this Bill, when calculating uninsured public funds to determine the amount of assessment. (Page 15, Line 11)
- Specifies information to be provided to the Enterprise Zone Commission by an eligible housing business organized as a partnership, S corporation, or limited liability company, using low-income housing tax credits under Section 42 of the Internal Revenue Code. (Page 15, Line 18)
- Provides an exception for claiming of investment tax credits under the Enterprise Zone Program based on a pro rata share of earnings for individuals in a partnership, S corporation, limited liability company, or estate or trust for projects using low-income housing tax credits. (Page 15, Line 29)
- Allows the Department of Economic Development to issue a tax credit under the Enterprise Zone Program to a partner, shareholder, or member of the eligible housing business as designated by the business for projects using low-income housing tax credits. (Page 16, Line 24)
- Requires that a government-issued photo identification card be presented to the pharmacist when purchasing pseudoephedrine. (Page 18, Line 12)
- Requires the Tobacco Use Prevention and Control Commission to approve materials distributed by the Just Eliminate Lies (JEL) Youth Program prior to distribution. (Page 18, Line 23)
- Repeals the requirement that school districts receive the scaled-down budget guarantee in FY 2005 to be eligible for that option in subsequent years. (Page 18, Line 28)
- Provides an exception for claiming of Property Rehabilitation Tax Credits based on a pro rata share of earnings for individuals in a partnership, S corporation, limited liability company, or estate or trust for projects using low-income housing tax credits. (Page 18, Line 31)
- Provides a sales tax exemption for construction of residential treatment facilities for youth with emotional or behavioral disorders and licensed under Chapter 237 (child foster care facilities) or Chapter 135H (psychiatric medical institutions for children), Code of Iowa. To qualify for the exemption, the written construction contract for the facility must have been signed after December 31, 2003, and the exempt expenses must occur between July 1, 2004 and December 31, 2006. This is estimated to reduce net General Fund revenue by \$2,000 in FY 2006. (Page 19, Line 13)
- Permits the private sale of bonds in anticipation of revenues from the School Infrastructure Local Option (SILO) Sales and Services Tax in a manner similar to that permitted for the regular city and county sales and services tax revenue bonds. (Page 19, Line 29)
- Specifies that low-rent public housing units owned and managed by a nonprofit organization and located in a city with more than 110,000 in population, where the city does not own or manage low-rent housing stock, are exempt from property taxes. (Page 20, Line 35)

EXECUTIVE SUMMARY NOTES ON BILLS AND AMENDMENTS

HOUSE FILE 882 STANDING APPROPRIATIONS BILL

DIVISION IV – MISCELLANEOUS STATUTORY CHANGES (CONTINUED)

- Allows the Natural Resource Commission to identify additional species as aquatic invasive species. Specifies that additions to the aquatic invasive species listing will be done through the Administrative Rules process. (Page 21, Lines 9 and 21)
- Repeals potential sanctions for real estate brokers and salespersons that pay consideration to real estate licensees, knowing that the licensee will pay a portion of the consideration to a person that is not licensed. (Page 21, Line 32)
- Amends the restrictions and prohibited practices for real estate licensees. (Page 22, Line 13)
- Strikes language regarding financial statements that perfect a lien. (Page 23, Lines 10 and 17)
- Specifies that the portion of the Bill providing a sales tax exemption for construction of residential treatment facilities for youth takes effect upon enactment. (Page 24, Line 1)
- Specifies that the portion of HF 739 (Learning Technology Bill) establishing a research triangle and clearinghouse takes effect July 1, 2006. (Page 24, Line 4)
- Extends the FY 2006 deadline for a school board to adopt a resolution to receive the budget guarantee and notify the Department of Management from April 15, 2005, to June 1, 2005. (Page 24, Line 9)
- Specifies that the property tax exemption for low-rent public housing units owned and managed by nonprofit organizations, provided in this Bill, shall not be subject to the statute requiring such exemptions to be fully State funded. (Page 24, Line 18)
- Specifies that the portion of the Bill extending the deadline for the school budget guarantee takes effect upon enactment. (Page 24, Line 22)
- Appropriates \$596,000 from the General Fund to the Department of Public Safety for deposit in the Vehicle Depreciation Account to purchase Iowa State Patrol vehicles. Also, makes appropriations for future fiscal years as follows: FY 2007 - \$709,000; FY 2008 - \$841,000; FY 2009 - \$841,000. These appropriations reinstate appropriations item-vetoed by the Governor in HF 826 (Speed Limit Act). These appropriations are offset by increased General Fund revenue resulting from increased fines and fees in HF 826. (Page 25, Line 2)
- Increases the number of magistrates by 15, from 191 to 206. (Page 25, Line 26)
- Specifies the Clerk of a District Court is not required to send a repeat or subsequent mailing of a returned notice unless an address correction is provided. (Page 25, Line 32)
- Adds new filing fees for certain legal services. (Page 26, Line 7)
- Permits copies of presentence investigation reports to be sent by regular or electronic mail rather than being served in person. (Page 26, Line 31)

DIVISION V – JUSTICE SYSTEM AND JUDICIAL BRANCH

**EXECUTIVE SUMMARY
NOTES ON BILLS AND AMENDMENTS**

**HOUSE FILE 882
STANDING APPROPRIATIONS BILL**

**DIVISION V – JUSTICE SYSTEM AND
JUDICIAL BRANCH (CONTINUED)**

- Increases the General Fund appropriation to the Judicial Branch by \$320,000 to help offset the cost of adding 15 new magistrates. (Page 28, Line 1)
- Appropriates \$750,000 from the General Fund to the Justice Department for the Legal Services Poverty Grants. (Page 28, Line 18)
- Appropriates \$350,000 to the Department of Public Safety to purchase equipment for the Crime Lab. (Page 28, Line 25)

DIVISION VI – EDUCATION

- Makes statutory changes regarding nonprofit school organizations. (Page 29, Line 27; Page 30, Line 1; and Page 34, Line 20)
- Makes statutory changes regarding the school district open enrollment application deadline. (Page 30, Line 25 through Page 33, Line 33)
- Limits certificate of need requirements for certain school districts to expend supplemental school infrastructure funds. (Page 33, Line 34)

**DIVISION VII – LAND RECORD
INFORMATION SYSTEM**

- Makes various statutory changes relating to a County Land Record Information System. (Page 34, Line 31 through Page 37, Line 35)

**DIVISION VIII – CORRECTIVE
PROVISIONS**

- Sections 82 through 110 of this Bill are technical corrective provisions. No specific explanation is provided for these Sections. (Page 38, Line 3 through Page 48, Line 26)

House File 882 provides for the following changes to the Code of Iowa.

Page #	Line #	Bill Section	Action	Code Section	Description
2	6	2	Nwthstnd	Sec. Various	Limits Various Standing Appropriations
2	12	2	Nwthstnd	Sec. 257.20	Instruction Support Standing Appropriation Limitation
2	15	2	Nwthstnd	Sec. 279.51(1)	At-Risk Children Programs Standing Appropriation Limitation
2	21	2	Nwthstnd	Sec. 285.2	Nonpublic School Transportation Standing Appropriation Limitation
2	28	2	Nwthstnd	Sec. 294A.25(1)	Educational Excellence Program Standing Appropriation Limitation
2	31	2	Nwthstnd	Sec. 411.20	Peace Officers' Retirement Benefits Standing Appropriation Limitation
2	34	2	Nwthstnd	Section 422.121	Livestock Production Credit Refunds Standing Appropriation Limitation
3	2	3	Nwthstnd	Sec. 8.57	General Fund Surplus Appropriation to Property Tax Credit Fund
3	13	3	Nwthstnd	Sec. Various	General Fund Standing Appropriations and Cash Reserve Fund Provisions Notwithstanding
4	23	4	Nwthstnd	Sec. 257.35(4)	State Aid Reduction for Area Education Agencies
4	35	5	Nwthstnd	Sec. 8.57(1)(a)	Cash Reserve Fund Appropriation
6	20	12	Amends	Sec. 2.1(a), HF 809, 2005 Iowa Acts	General Fund Appropriation for Administration Division of Department of Economic Development
6	31	13	Amends	Sec. 2.4, HF 809, 2005 Iowa Acts	General Fund Appropriation for World Food Prize
7	1	14	Amends	Sec. 7.2, HF 810, 2005 Iowa Acts	General Fund Appropriation for Banking Division of Department of Commerce
7	11	15	Amends	Sec. 7.5, HF 810, 2005 Iowa Acts	General Fund Appropriation for Professional Licensing and Regulation Division of Department of Commerce

Page #	Line #	Bill Section	Action	Code Section	Description
7	21	16	Amends	Sec. 5.10, unnumbered paragraph 1, HF 816, 2005 Iowa Acts	General Fund Appropriation to Community Empowerment Program
7	28	17	Amends	Sec. 5.10(d), HF 816, 2005 Iowa Acts	Community Empowerment Allocation for Child Care Provider Assistance
8	2	18	Amends	Sec. 5.12, HF 816, 2005 Iowa Acts	General Fund Appropriation to Student Achievement and Teacher Quality Program
8	10	19	Amends	Sec. 5.13, HF 816, 2005 Iowa Acts	General Fund Appropriation to Community College General Aid
8	17	19	Amends	Sec. 5.13, HF 816, 2005 Iowa Acts	Allocation of Community College General Aid
9	14	20	Amends	Sec. 10.1(f)	General Fund Appropriation to Regents Universities
9	21	21	Amends	Sec. 10.1(f)(6)	Allocation to Veterinary Diagnostic Laboratory
9	33	22	Amends	Sec. 9, unnumbered paragraph 2, HF 825, 2005 Iowa Acts	General Fund Appropriation to Medicaid Program
10	10	23	Amends	Sec. 14, unnumbered paragraph 2, HF 825, 2005 Iowa Acts	General Fund Appropriation to Child Care Assistance Program
10	16	24	Amends	Sec. 14.1(1)(a), HF 825, 2005 Iowa Acts	Child Care Assistance Allocation to Low-Income Families
10	22	25	Amends	Sec. 29.1(a)(3), HF 825, 2005 Iowa Acts	Inflation Adjustment for Nursing Facilities' Medicaid Reimbursement Rates
10	31	26	Amends	Sec. 29.11, HF 825, 2005 Iowa Acts	Child Care Provider Reimbursement Rates
11	9	27	Amends	Sec. 40.1, HF 825, 2005 Iowa Acts	Senior Living Trust Fund Appropriation for Medicaid Reimbursement Inflation Adjustment
11	17	28	Amends	Sec. 1.1, Chapter 1174, 2001 Iowa Acts, as amended	Repeal of General Fund Appropriation to Endowment for Iowa's Health Account
11	34	29	Repeals	Sec. 8.55(2)(b) and (d)	General Fund Reimbursement to Endowment for Iowa's Health Account
12	1	30	Amends	Sec. 8.55(2)(c)	Economic Emergency Fund Transfer to Senior Living Trust Fund

Page #	Line #	Bill Section	Action	Code Section	Description
12	13	31	Amends	Sec. 256D.5(4)	Early Intervention Block Grant Program Extension
12	18	32	Amends	Sec. 284.13(1)(dd), as enacted by Sec. 23, HF 816, 2005 Iowa Acts	Student Achievement and Teacher Quality Program Allocation for Additional Contract Days
13	5	33	Amends	Sec. 490A.131(5), if enacted by Sec. 109, HF 859, 2005 Iowa Acts	Biennial Report Filing for Certain Businesses
13	21	34	Repeals	Sec. 292.4	Secure an Advanced Vision for Education Fund Appropriation
14	1	36	Adds	Sec. 12B.10(7)	Federal Deposit Insurance Coverage of Public Fund Deposits
14	27	36	Adds	Sec. 12B.10(8)	Definition of Public Funds
14	30	37	Amends	Sec. 12C.22(2), unnumbered paragraph 1	Public Fund Deposits Used to Calculate Collateral
15	11	38	Adds	Sec. 12C.23A(3)(d), unnumbered paragraph 1	Bank Deposits Used to Calculate Uninsured Public Funds
15	18	39	Adds	Sec. 15E.193B(5)(f)	Enterprise Zone Commission Reporting Requirements
15	29	40	Amends	Sec. 15E.193B(6)(a)	Enterprise Zone Incentives
16	24	41	Amends	Sec. 15E.193B(8), unnumbered paragraph 1	Enterprise Zone Tax Credit Awards
18	12	42	Amends	Sec. 124.212(4)(c), as enacted by Sec. 1, SF 169, 2005 Iowa Acts	Identification Required for Purchase of Pseudoephedrine
18	23	43	Adds	Sec. 142A.4(23)	Approval of Just Eliminate Lies (JEL) Youth Program Materials
18	28	44	Repeals	Sec. 257.14(3), unnumbered paragraph 2	School District Budget Guarantee Option Restriction
18	31	45	Amends	Sec. 422.11D(2)	Property Rehabilitation Tax Credits
19	13	46	Adds	Sec. 423.3(29A)	Sales Tax Exemption for Construction of Youth Residential Treatment Facilities
19	29	47	Amends	Sec. 423E.5, unnumbered paragraph 1	Private Sale of School District Infrastructure Revenue Bonds

Page #	Line #	Bill Section	Action	Code Section	Description
20	35	48	Adds	427.1(21A)	Property Tax Exemption for Low-Rent Public Housing
21	9	49	Amends	Sec. 456A.37(1)(c)	Identification of Aquatic Invasive Species
21	21	50	Amends	Sec. 456A.37(4), unnumbered paragraph 2	Additions to Aquatic Invasive Species Listing
21	32	51	Amends	Sec. 543B.34(9)(a), unnumbered paragraph 1	Sanctions for Real Estate Brokers and Salespersons
22	13	52	Amends	Sec. 543B.60A	Prohibited Practices for Real Estate Licensees
23	10	53	Amends	Sec. 579A.2(3)(b)	Financial Statements That Perfect a Lien
23	17	54	Amends	Sec. 579B.4(1)(b)	Financial Statements that Perfect a Lien
24	9	57	Nwthstnd	Sec. 257.14(3), unnumbered paragraph 3	Application Deadline for School Budget Guarantee
25	26	62	Amends	Sec. 602.6401(1)	Increases Authorized Number of Magistrates
25	32	63	Adds	Sec. 602.8102A	Legal Notices Returned for Unknown Address
26	7	64	Amends	Sec. 602.8105(2)	Legal Filing Fees
26	31	65	Amends	901.4	Delivery of Presentence Investigation Reports
28	1	66	Amends	Sec. 1.1, HF 807, 2005 Iowa Acts	Appropriation Increase for Judicial Branch
28	18	67	Amends	Sec. 1.1(c), HF 811, 2005 Iowa Acts	Legal Services Poverty Grants
28	25	68	Amends	Sec. 14.3, HF 811, 2005 Iowa Acts	Department of Public Safety Crime Lab Appropriation
28	33	69	Amends	Sec. 11.6(1)(a)	School District Nonprofit Foundations
29	27	70	Adds	Sec. 256.9(53)	Achievement Gap Report
30	1	71	Adds	Sec. 279.60	Nonprofit School Organizations
30	25	72	Amends	Sec. 282.18(2)	Open Enrollment Deadline
31	24	73	Amends	Sec. 282.18(4)(a)(b)	Open Enrollment Deadline Waiver
32	30	74	Amends	Sec. 282.18(5 & 6)	Open Enrollment Deadline
33	34	75	Amends	Sec. 423E.4(6)	Certificate of Need Requirement
34	31	77	Adds	Sec. 12B.6	Certain Public Funds of Political Subdivisions
35	6	78	Amends	Sec. 331.605C(4)	Local Government Transaction Fund

1 1 DIVISION I
1 2 MH/MR/DD ALLOWED GROWTH FUNDING

1 3 Section 1. COUNTY MENTAL HEALTH, MENTAL RETARDATION, AND
1 4 DEVELOPMENTAL DISABILITIES ALLOWED GROWTH FACTOR
ALLOCATIONS

1 5 -- FISCAL YEAR 2006-2007.

1 6 1. There is appropriated from the general fund of the
1 7 state to the department of human services for the fiscal year
1 8 beginning July 1, 2006, and ending June 30, 2007, the
1 9 following amount, or so much thereof as is necessary, to be
1 10 used for the purpose designated:

1 11 For distribution to counties of the county mental health,
1 12 mental retardation, and developmental disabilities allowed
1 13 growth factor adjustment, as provided in this section in lieu
1 14 of the provisions of section 331.438, subsection 2, and
1 15 section 331.439, subsection 3, and chapter 426B:

1 16 \$ 35,788,041

1 17 2. The funding appropriated in this section is the allowed
1 18 growth factor adjustment for fiscal year 2006-2007, and is
1 19 allocated as follows:

1 20 a. For distribution to counties for fiscal year 2005-2006
1 21 in accordance with the formula in section 331.438, subsection
1 22 2, paragraph "b":

1 23 \$ 12,000,000

1 24 b. For deposit in the per capita expenditure target pool
1 25 created in the property tax relief fund and for distribution
1 26 in accordance with section 426B.5, subsection 1:

1 27 \$ 19,361,148

1 28 c. For deposit in the risk pool created in the property
1 29 tax relief fund and for distribution in accordance with
1 30 section 426B.5, subsection 2:

1 31 \$ 2,000,000

1 32 d. For distribution to counties as cost share for county
1 33 coverage of services to adult persons with brain injury in
1 34 accordance with the law enacted as a result of the provisions

General Fund appropriation for the Mental Health/Mental Retardation/Developmental Disabilities allowed growth for FY 2007.

DETAIL: This is an increase of \$7,280,679 compared to the estimated FY 2006 appropriation. This represents a 3.00% increase in the formula that generates this appropriation. A new allocation is established for FY 2007, for brain injury services for certain adults, if coverage is enacted for FY 2007.

1 35 of 2005 Iowa Acts, House File 876, or other law providing for
 2 1 such coverage to commence in the fiscal year beginning July 1,
 2 2 2006:
 2 3 \$ 2,426,893

2 4 DIVISION II
 2 5 STANDING APPROPRIATIONS

2 6 Sec. 2. Notwithstanding the standing appropriations in the
 2 7 following designated sections for the fiscal year beginning
 2 8 July 1, 2005, and ending June 30, 2006, the amounts
 2 9 appropriated from the general fund of the state pursuant to
 2 10 those sections for the following designated purposes shall not
 2 11 exceed the following amounts:

CODE: Limits various standing appropriations in the amounts specified.

2 12 1. For instructional support state aid under section
 2 13 257.20:
 2 14 \$ 14,428,271

CODE: Limits the FY 2006 standing appropriation to the Department of Education for Instructional Support State Aid.

DETAIL: Maintains current level of funding.

2 15 2. For at-risk children programs under section 279.51,
 2 16 subsection 1:
 2 17 \$ 11,271,000

CODE: Limits the FY 2006 standing appropriation to the Department of Education for At-Risk Children Programs.

DETAIL: Maintains current level of funding.

2 18 The amount of any reduction in this subsection shall be
 2 19 prorated among the programs specified in section 279.51,
 2 20 subsection 1, paragraphs "a", "b", and "c".

Requires the amount of any reduction to be prorated among the At-Risk Children Programs.

2 21 3. For payment for nonpublic school transportation under
 2 22 section 285.2:
 2 23 \$ 8,273,763

CODE: Limits the FY 2006 standing appropriation to the Department of Education for nonpublic school transportation.

DETAIL: This is an increase of \$318,222 compared to the estimated net FY 2005 appropriation.

2 24 If total approved claims for reimbursement for nonpublic
 2 25 school pupil transportation claims exceed the amount
 2 26 appropriated in this section, the department of education
 2 27 shall prorate the amount of each claim.

Requires the Department of Education to prorate claims, if the amount of claims exceeds the amount appropriated.

2 28 4. For the educational excellence program under section
 2 29 294A.25, subsection 1:
 2 30 \$ 55,469,053

CODE: Limits the FY 2006 standing appropriation to the Department of Education for the Educational Excellence Program.

DETAIL: Maintains current level of funding.

2 31 5. For the state's share of the cost of the peace
 2 32 officers' retirement benefits under section 411.20:
 2 33 \$ 2,745,784

CODE: Limits the FY 2006 standing appropriation to the Statewide Fire and Police Retirement System for the State contribution to the Municipal Fire and Police Officer Retirement Fund.

DETAIL: Maintains current level of funding.

2 34 6. For payment of livestock production tax credit refunds
 2 35 under section 422.121:
 3 1 \$ 1,770,342

CODE: Limits the FY 2006 standing appropriation to the Department of Revenue for the Livestock Production Tax Credit.

DETAIL: Maintains current level of funding. The appropriation is \$229,658 less than the projected amount of the FY 2006 credit.

3 2 Sec. 3. PROPERTY TAX CREDIT FUND -- PAYMENTS IN LIEU OF
 3 3 GENERAL FUND REIMBURSEMENT.
 3 4 1. Notwithstanding section 8.57, prior to the
 3 5 appropriation and distribution to the cash reserve fund of the
 3 6 surplus existing in the general fund of the state at the
 3 7 conclusion of the fiscal year beginning July 1, 2004, and
 3 8 ending June 30, 2005, pursuant to section 8.57, subsection 1,
 3 9 of that surplus, \$159,663,964 is appropriated to the property
 3 10 tax credit fund which shall be created in the office of the
 3 11 treasurer of state to be used for the purposes of this
 3 12 section.

CODE: Requires a Property Tax Credit Fund be established in the Office of the Treasurer and appropriates \$159,663,964 from the FY 2005 General Fund surplus to the Fund, prior to the appropriation and distribution to the Cash Reserve Fund..

3 13 2. Notwithstanding the amount of the standing

CODE: Notwithstands General Fund standing appropriations in the

3 14 appropriation from the general fund of the state in the
 3 15 following designated sections and notwithstanding any
 3 16 conflicting provisions or voting requirements of section 8.56,
 3 17 there is appropriated from the property tax credit fund in
 3 18 lieu of the appropriations in the following designated
 3 19 sections for the fiscal year beginning July 1, 2005, and
 3 20 ending June 30, 2006, the following amounts for the following
 3 21 designated purposes:

specified sections and the conflicting provisions and voting requirements of Section 8.56, Code of Iowa, relating to the Cash Reserve Fund.

3 22 a. For reimbursement for the homestead property tax credit
 3 23 under section 425.1:

Property Tax Credit Fund appropriation for the Homestead Property Tax Credit.

3 24 \$102,945,379

DETAIL: Maintains current level of funding. The appropriation is \$26,454,621 less than the projected amount of the FY 2006 credit.

3 25 b. For reimbursement for the agricultural land and family
 3 26 farm tax credits under sections 425A.1 and 426.1:

Property Tax Credit Fund appropriation for the Agricultural Land and Family Farm Tax Credits.

3 27 \$ 34,610,183

DETAIL: Maintains current level of funding. The appropriation is \$4,489,817 less than the projected amount of the FY 2006 credit.

3 28 c. For reimbursement for the military service tax credit
 3 29 under section 426A.1A:

Property Tax Credit Fund appropriation for the Military Service Tax Credits.

3 30 \$ 2,568,402

DETAIL: Maintains current level of funding, and fully funds the projected FY 2006 credit.

3 31 d. For implementing the elderly and disabled tax credit
 3 32 and reimbursement pursuant to sections 425.16 through 425.40:

Property Tax Credit Fund appropriation for the Elderly and Disabled Tax Credit.

3 33 \$ 19,540,000

DETAIL: Maintains the current level of funding. The appropriation is \$2,196,000 less than the projected amount of the FY 2006 credit.

3 34 If the director determines that the amount of claims for
 3 35 credit for property taxes due plus the amount of claims for

Requires the proration of claims if claims exceed the appropriation. The proration includes both the property tax and rent reimbursement

4 1 reimbursement for rent constituting property taxes paid which
4 2 are to be paid during the fiscal year may exceed the amount
4 3 appropriated, the director shall estimate the percentage of
4 4 the credits and reimbursements which will be funded by the
4 5 appropriation. The county treasurer shall notify the director
4 6 of the amount of property tax credits claimed by June 8. The
4 7 director shall estimate the percentage of the property tax
4 8 credit and rent reimbursement claims that will be funded by
4 9 the appropriation and notify the county treasurer of the
4 10 percentage estimate by June 15. The estimated percentage
4 11 shall be used in computing for each claim the amount of
4 12 property tax credit and reimbursement for rent constituting
4 13 property taxes paid for that fiscal year. If the director
4 14 overestimates the percentage of funding, claims for
4 15 reimbursement for rent constituting property taxes paid shall
4 16 be paid until they can no longer be paid at the estimated
4 17 percentage of funding. Rent reimbursement claims filed after
4 18 that point in time shall receive priority and shall be paid in
4 19 the following fiscal year. If the director underestimates the
4 20 percentage of funding, the overage shall remain in the fund
4 21 established in section 425.39 for payments to be made in the
4 22 next fiscal year.

4 23 Sec. 4. Section 257.35, subsection 4, Code 2005, is
4 24 amended to read as follows:
4 25 4. Notwithstanding subsection 1, and in addition to the
4 26 reduction applicable pursuant to subsection 2, the state aid
4 27 for area education agencies and the portion of the combined
4 28 district cost calculated for these agencies for the fiscal
4 29 year beginning July 1, ~~2004~~ 2005, shall be reduced by the
4 30 department of management by eleven million seven hundred
4 31 ninety-eight thousand seven hundred three dollars. The
4 32 reduction for each area education agency shall be equal to the
4 33 reduction that the agency received in the fiscal year
4 34 beginning July 1, 2003.

4 35 Sec. 5. CASH RESERVE APPROPRIATION FOR FY 2005-2006. For

portions of the credit.

Requires county treasurers to notify the Department of Revenue of the amount of property tax credit claims by June 8. The Department is to notify the county treasurers of the proration by June 15. If the Department overestimates the percentage of funding, unfunded rent reimbursements may be paid the following year. Overages remain in the fund for next year's payments.

CODE: Reduces the FY 2006 State Aid allocation for Area Education Agencies (AEAs) by \$11,798,703. This is in addition to the previously existing statutory \$7,500,000 reduction.

DETAIL: Maintains the FY 2005 level of reduction.

CODE: Notwithstands the requirement that an appropriation be made

5 1 the fiscal year beginning July 1, 2005, and ending June 30,
 5 2 2006, the appropriation to the cash reserve fund provided in
 5 3 section 8.57, subsection 1, paragraph "a", shall not be made.
 5 4 However, any surplus in the general fund of the state for the
 5 5 fiscal year beginning July 1, 2005, and ending June 30, 2006,
 5 6 shall be transferred to the cash reserve fund.

from the General Fund to the Cash Reserve Fund in the event that the Cash Reserve does not maintain a maximum balance equal to 7.50% of the Revenue Estimating Conference estimate for FY 2006 as established in December 2004.

DETAIL: Under current law, if the Cash Reserve Fund balance is less than 6.50% of the adjusted revenue estimate, then an appropriation of the adjusted revenue estimate is required. An appropriation equal to 1.00% for FY 2006 would be an estimated \$49,003,000. If the Cash Reserve Fund balance is more than 6.50% but less than 7.50% of the adjusted revenue estimate, then the appropriation is the amount required to bring the Cash Reserve Fund balance to 7.50% of the adjusted revenue estimate.

5 7 Sec. 6. EFFECTIVE DATE. The section of this division of
 5 8 this Act creating the property tax credit fund, being deemed
 5 9 of immediate importance, takes effect upon enactment.

Specifies that the Section of the Bill creating the Property Tax Credit Fund is effective upon enactment.

5 10 DIVISION III
 5 11 OTHER APPROPRIATIONS

5 12 Sec. 7. PKU ASSISTANCE. There is appropriated from the
 5 13 general fund of the state to the department of public health
 5 14 for the fiscal year beginning July 1, 2005, and ending June
 5 15 30, 2006, the following amount, or so much thereof as is
 5 16 necessary, to be used for the purpose designated:
 5 17 For providing grants to individual patients who have
 5 18 phenylketonuria (PKU) to assist with the costs of special food
 5 19 needed:
 5 20 \$ 100,000

General Fund appropriation to the Department of Public Health for Phenylketonuria (PKU) Assistance for FY 2006.

DETAIL: This is a new appropriation for FY 2006 to provide grants to individual patients who have PKU and have specific food requirements.

5 21 Sec. 8. ARCHIVE GOVERNORS' RECORDS. There is appropriated
 5 22 from the general fund of the state to the department of
 5 23 cultural affairs for the fiscal year beginning July 1, 2005,
 5 24 and ending June 30, 2006, the following amount, or so much

General Fund appropriation to the Department of Cultural Affairs for FY 2006 for archiving the records of Iowa governors.

DETAIL: This is a new appropriation and will be used to match private funding.

5 25 thereof as is necessary, to be used for the purpose
 5 26 designated:
 5 27 To match private funding for archiving the records of Iowa
 5 28 governors:
 5 29 \$ 75,000

5 30 Sec. 9. CIVIL AIR PATROL. There is appropriated from the
 5 31 general fund of the state to the state department of
 5 32 transportation for the fiscal year beginning July 1, 2005, and
 5 33 ending June 30, 2006, the following amount, or so much thereof
 5 34 as is necessary, to be used for the purpose designated:
 5 35 For the Iowa civil air patrol:
 6 1 \$ 125,000

General Fund appropriation to the Department of Transportation for
 FY 2006 for the Civil Air Patrol.

DETAIL: This is a new appropriation. The Civil Air Patrol received
 General Fund appropriations from FY 1999 through FY 2001. Since
 that time, the quasi-public organization has operated with
 reimbursements from the Iowa National Guard and the federal
 government.

6 2 Sec. 10. BIENNIAL REPORTING. There is appropriated from
 6 3 the general fund of the state to the secretary of state for
 6 4 the fiscal year beginning July 1, 2005, and ending June 30,
 6 5 2006, the following amount, or so much thereof as is
 6 6 necessary, to be used for the purpose designated:
 6 7 For administering the biennial reporting requirements for
 6 8 limited liability companies as required in section 490A.131,
 6 9 if enacted by 2005 Iowa Acts, House File 859:
 6 10 \$ 275,000

General Fund appropriation to the Secretary of State for administering
 the biennial reporting requirements in HF 859 (Cooperative Bill), if
 enacted.

DETAIL: This is a new appropriation fro FY 2006.

6 11 Sec. 11. SCHOOL SHARING AND EFFICIENCIES. There is
 6 12 appropriated from the general fund of the state to the
 6 13 department of education for the fiscal year beginning July 1,
 6 14 2005, and ending June 30, 2006, the following amount, or so
 6 15 much thereof as is necessary, to be used for the purpose
 6 16 designated:
 6 17 For implementation of 2005 Iowa Acts, House File 873, if
 6 18 enacted:
 6 19 \$ 200,000

General Fund appropriation to the Department of Education to
 implement the provisions of HF 873 (Education Reform Bill), if
 enacted.

DETAIL: This is a new appropriation for FY 2006.

6 20 Sec. 12. 2005 Iowa Acts, House File 809, section 2,

CODE: General Fund appropriation to the Administration Division of

6 21 subsection 1, paragraph a, if enacted, is amended to read as
 6 22 follows:
 6 23 a. General administration
 6 24 For salaries, support, maintenance, miscellaneous purposes,
 6 25 programs, for the transfer to the Iowa state commission grant
 6 26 program, and for not more than the following full-time
 6 27 equivalent positions:
 6 28 \$ ~~1,956,332~~
 6 29 1,841,332
 6 30 FTEs 28.75

the Department of Economic Development.

DETAIL: This is a decrease of \$115,000 compared to the estimated net FY 2005 appropriation.

6 31 Sec. 13. 2005 Iowa Acts, House File 809, section 2,
 6 32 subsection 4, if enacted, is amended to read as follows:
 6 33 4. For allocating moneys for the world food prize:
 6 34 \$ ~~285,000~~
 6 35 400,000

CODE: General Fund appropriation for the World Food Prize.

DETAIL: This is an increase of \$115,000 compared to the estimated net FY 2005 appropriation.

7 1 Sec. 14. 2005 Iowa Acts, House File 810, section 7,
 7 2 subsection 2, if enacted, is amended to read as follows:
 7 3 2. BANKING DIVISION
 7 4 For salaries, support, maintenance, and miscellaneous
 7 5 purposes, and for not more than the following full-time
 7 6 equivalent positions:
 7 7 \$ ~~6,583,545~~
 7 8 6,793,223
 7 9 FTEs ~~69.00~~
 7 10 71.00

CODE: General Fund appropriation to the Banking Division of the Department of Commerce.

DETAIL: This is an increase of \$209,678 and 2.00 FTE positions compared to the FY 2006 General Fund appropriation in House File 810 (FY 2006 Administration and Regulation Appropriations Bill) to implement House File 737 (Mortgage Brokers Licensing Bill).

7 11 Sec. 15. 2005 Iowa Acts, House File 810, section 7,
 7 12 subsection 5, if enacted, is amended to read as follows:
 7 13 5. PROFESSIONAL LICENSING AND REGULATION DIVISION
 7 14 For salaries, support, maintenance, and miscellaneous
 7 15 purposes, and for not more than the following full-time
 7 16 equivalent positions:
 7 17 \$ ~~782,671~~

CODE: General Fund appropriation to the Professional Licensing and Regulation Division of the Department of Commerce.

DETAIL: This is an increase of \$54,250 and 0.75 FTE position compared to the FY 2006 General Fund appropriation in House File 810 (FY 2006 Administration and Regulation Appropriations Bill) to implement House File 877/Senate File 405 (Interior Design Title Bill).

PG LN	House File 882	Explanation
7 18	<u>836,921</u>	
7 19 FTEs <u>42.00</u>	
7 20	<u>12.75</u>	
7 21	Sec. 16. 2005 Iowa Acts, House File 816, section 5,	CODE: General Fund appropriation to the Community Empowerment
7 22	subsection 10, unnumbered paragraph 1, if enacted, is amended	Program for School Ready Children Grants by \$1,000,000.
7 23	to read as follows:	
7 24	For deposit in the school ready children grants account of	DETAIL: This is an increase of \$8,100,000 compared to the
7 25	the Iowa empowerment fund created in section 28.9:	estimated net FY 2005 appropriation.
7 26 \$ <u>22,481,594</u>	
7 27	<u>21,481,594</u>	
7 28	Sec. 17. 2005 Iowa Acts, House File 816, section 5,	CODE: Decreases the allocation from the FY 2006 General Fund
7 29	subsection 10, paragraph d, if enacted, is amended to read as	appropriation to Community Empowerment for assistance to child
7 30	follows:	care providers by \$500,000.
7 31	d. Of the amount appropriated in this subsection for	
7 32	deposit in the school ready children grants account of the	DETAIL: This is a new allocation for FY 2006. It will fund a
7 33	Iowa empowerment fund, \$1,000,000 <u>\$500,000</u> shall be allocated	collaboration with Iowa State University Extension.
7 34	to a collaborative effort between the Iowa community	
7 35	empowerment board and Iowa state university extension to	
8 1	provide hands-on assistance to child care providers.	
8 2	Sec. 18. 2005 Iowa Acts, House File 816, section 5,	CODE: General Fund appropriation to the Student Achievement and
8 3	subsection 12, if enacted, is amended to read as follows:	Teacher Quality Program by \$8,900,000.
8 4	12. STUDENT ACHIEVEMENT AND TEACHER QUALITY PROGRAM	
8 5	For purposes, as provided in law, of the student	DETAIL: This is an increase of \$22,335,000 compared to the
8 6	achievement and teacher quality program established pursuant	estimated net FY 2005 appropriation.
8 7	to chapter 284:	
8 8 \$ <u>58,718,894</u>	
8 9	<u>67,618,894</u>	
8 10	Sec. 19. 2005 Iowa Acts, House File 816, section 5,	CODE: General Fund appropriation for Community College General
8 11	subsection 13, if enacted, is amended to read as follows:	Aid by \$1,515,356.
8 12	13. COMMUNITY COLLEGES	DETAIL: This is an increase of \$7,800,000 compared to the

8 13 For general state financial aid to merged areas as defined
 8 14 in section 260C.2 in accordance with chapters 258 and 260C:
 8 15 \$146,063,888
 8 16 147,579,244

estimated net FY 2005 appropriation.

8 17 The funds appropriated in this subsection shall be
 8 18 allocated as follows:
 8 19 a. Merged Area I \$ 7,050,307
 8 20 7,124,315
 8 21 b. Merged Area II \$ 8,174,864
 8 22 8,258,602
 8 23 c. Merged Area III \$ 7,573,324
 8 24 7,650,479
 8 25 d. Merged Area IV \$ 3,708,637
 8 26 3,746,521
 8 27 e. Merged Area V \$ 7,844,724
 8 28 7,926,341
 8 29 f. Merged Area VI \$ 7,187,687
 8 30 7,261,075
 8 31 g. Merged Area VII \$ 10,452,573
 8 32 10,560,846
 8 33 h. Merged Area IX \$ 12,871,340
 8 34 13,005,054
 8 35 i. Merged Area X \$ 20,387,667
 9 1 20,603,300
 9 2 j. Merged Area XI \$ 21,520,591
 9 3 21,745,905
 9 4 k. Merged Area XII \$ 8,447,771
 9 5 8,535,410
 9 6 l. Merged Area XIII \$ 8,664,978
 9 7 8,754,676
 9 8 m. Merged Area XIV \$ 3,753,491
 9 9 3,791,821
 9 10 n. Merged Area XV \$ 11,804,074
 9 11 11,924,610
 9 12 o. Merged Area XVI \$ 6,621,860

CODE: Specifies the allocation of the FY 2006 General Fund
 appropriation for Community College General Aid.

9 13 6,690,289

9 14 Sec. 20. 2005 Iowa Acts, House File 816, section 10,
9 15 subsection 1, paragraph f, if enacted, is amended to read as
9 16 follows:

9 17 f. For funds for regents universities' general operating
9 18 budgets:

9 19 ~~\$ 12,569,288~~
9 20 14,969,288

CODE: General Fund appropriation to the Board of Regents for the general operating budgets of the universities.

DETAIL: This is a new appropriation. These funds will be allocated to each of the three universities as recommended by the Regent Partnership for Transformation and Excellence. The Partnership is a four-year strategic plan supported by the Board that seeks a \$40,000,000 General Fund investment by the General Assembly each year. In exchange, the Board has committed to internal reallocations of \$20,000,000 per year and to cap tuition increases at the Higher Education Price Index (HEPI). The estimated HEPI for FY 2006 is 4.00%.

9 21 Sec. 21. 2005 Iowa Acts, House File 816, section 10,
9 22 subsection 1, paragraph f, subparagraph (6), if enacted, is
9 23 amended to read as follows:

9 24 (6) From the moneys allocated to the Iowa state university
9 25 of science and technology pursuant to this lettered paragraph,
9 26 an amount equal to ~~\$50,000~~ \$1,000,000 shall be distributed to
9 27 the college of veterinary medicine to reduce the operating
9 28 fees charged by the veterinary diagnostic laboratory. If Iowa
9 29 state university of science and technology fails to distribute
9 30 funds to the college of veterinary science in accordance with
9 31 this paragraph, the moneys shall revert to the general fund of
9 32 the state.

CODE: Increases the allocation from the FY 2006 General Fund appropriation to the Board of Regents for the Veterinary Diagnostic Laboratory at Iowa State University by \$950,000.

DETAIL: Provides that the funds will revert to the General Fund if not distributed as required.

9 33 Sec. 22. 2005 Iowa Acts, House File 825, section 9,
9 34 unnumbered paragraph 2, if enacted, is amended to read as
9 35 follows:

10 1 For medical assistance reimbursement and associated costs
10 2 as specifically provided in the reimbursement methodologies in
10 3 effect on June 30, 2005, except as otherwise expressly
10 4 authorized by law, including reimbursement for abortion
10 5 services, which shall be available under the medical

CODE: Decreases the FY 2006 State General Fund appropriation for the Medical Assistance (Medicaid) Program included in HF 825 (FY 2006 Health and Human Services Appropriations Bill).

DETAIL: This is a decrease of \$6,500,000 to the General Fund appropriation for Medicaid. This decrease is offset by an increase in the Senior Living Trust Fund appropriation for Medicaid.

10 6 assistance program only for those abortions which are
 10 7 medically necessary:
 10 8 \$524,800,000
 10 9 518,300,000

10 10 Sec. 23. 2005 Iowa Acts, House File 825, section 14,
 10 11 unnumbered paragraph 2, if enacted, is amended to read as
 10 12 follows:
 10 13 For child care programs:
 10 14 \$ ~~8,350,752~~
 10 15 17,350,752

CODE: Increases the FY 2006 General Fund appropriation included in HF 825 (FY 2006 Health and Human Services Appropriations Bill) to the Department of Human Services (DHS) for the Child Care Assistance Program.

DETAIL: This is an increase of \$9,000,000 for provider reimbursement rates based on the market rate reimbursement survey completed in 2002.

10 16 Sec. 24. 2005 Iowa Acts, House File 825, section 14,
 10 17 subsection 1, paragraph a, if enacted, is amended to read as
 10 18 follows:
 10 19 a. Of the funds appropriated in this section, ~~\$7,325,228~~
 10 20 \$16,325,228 shall be used for state child care assistance in
 10 21 accordance with section 237A.13.

CODE: Increases the amount of the Child Care Assistance appropriation included in HF 825 (FY 2006 Health and Human Services Appropriations Bill) that is required to be used to provide child care assistance to low-income families.

DETAIL: This is an increase of \$9,000,000 due to the increase in provider reimbursement rates.

10 22 Sec. 25. 2005 Iowa Acts, House File 825, section 29,
 10 23 subsection 1, paragraph a, subparagraph (3), if enacted, is
 10 24 amended to read as follows:
 10 25 (3) For recalculation of the per diem cost and the
 10 26 patient-day-weighted medians used in rate setting for nursing
 10 27 facilities effective July 1, 2005, the inflation factor
 10 28 applied from the midpoint of the cost report period to the
 10 29 first day of the state fiscal year rate period shall not be
 10 30 less than zero percent.

CODE: Specifies an inflation adjustment of not less than 0.00% for the rebasing of nursing facilities' Medicaid reimbursement rates in FY 2006.

DETAIL: House File 825 (FY 2006 Health and Human Services Appropriations Bill) requires the Department of Human Services to adjust the inflation percentage to ensure that total State expenditures for nursing facilities do not exceed \$161,600,000 in FY 2006. Under the current estimates for the cost of the reimbursement rate rebase, the estimated inflation adjustment is 2.21%.

10 31 Sec. 26. 2005 Iowa Acts, House File 825, section 29,
 10 32 subsection 11, if enacted, is amended to read as follows:
 10 33 11. For the fiscal year beginning July 1, 2005, for child

CODE: Requires the DHS to set FY 2006 provider reimbursement rates for child care providers based on the market rate reimbursement survey completed in December 2002, and that rates

10 34 care providers reimbursed under the state child care
 10 35 assistance program, the department shall set provider
 11 1 reimbursement rates based on the rate reimbursement survey
 11 2 completed in December ~~1998~~ 2002. The department shall set
 11 3 rates in a manner so as to provide incentives for a
 11 4 nonregistered provider to become registered. If the federal
 11 5 government provides additional funding for child care during
 11 6 the fiscal year beginning July 1, 2005, the additional funding
 11 7 shall be used to develop and implement an electronic billing
 11 8 and payment system for child care providers.

be set in a manner that will provide incentives for non-registered providers to become registered. Also, requires the DHS to implement an electronic billing and payment system for child care providers, if additional federal funds are received for child care.

11 9 Sec. 27. 2005 Iowa Acts, House File 825, section 40,
 11 10 subsection 1, if enacted, is amended to read as follows:
 11 11 1. To supplement the medical assistance appropriation,
 11 12 including program administration and costs associated with
 11 13 implementation, salaries, support, maintenance, and
 11 14 miscellaneous purposes:
 11 15 \$ ~~50,200,000~~
 11 16 59,647,109

CODE: Increases the FY 2006 Senior Living Trust Fund appropriation for the Medical Assistance (Medicaid) Program included in HF 825 (FY 2006 Health and Human Services Appropriations Bill).

DETAIL: This is an increase of \$9,447,109, including:

- \$6,500,000 to offset a General Fund decrease in the Medicaid appropriation.
- \$2,947,109 to provide an inflation adjustment within the rebasing of nursing facilities' reimbursement rates (see below).

House File 825 includes a cap on State expenditures for all nursing facilities of \$161,600,000, which is a net increase of \$5,586,752 compared to the estimated net FY 2005 appropriation. The increase includes the following:

- An estimated increase of \$6,836,752 (4.38%) in provider reimbursement rates for the statutorily required reimbursement rate rebase. This amount is funded in HF 825.
- An estimated increase of \$2,947,109 (2.21%) to provide an inflation adjustment for the rebase. The inflation rate will be adjusted to ensure that the rebasing remains within the overall appropriation cap of \$161,600,000. House File 825 set this inflation adjustment at 0.00%. This Bill amends the inflation language to "not less than zero," and appropriates an increase of \$2,947,109 from the Senior Living Trust Fund for the estimated 2.21% inflation adjustment.

- A decrease of \$4,197,109 to eliminate excess payments for direct and non-direct care.

11 17 Sec. 28. 2001 Iowa Acts, chapter 174, section 1,
 11 18 subsection 2, as amended by 2002 Iowa Acts, chapter 1174,
 11 19 section 8, 2003 Iowa Acts, chapter 179, section 38, and 2004
 11 20 Iowa Acts, chapter 1175, section 270, is amended to read as
 11 21 follows:

11 22 2. There is appropriated from the general fund of the
 11 23 state to the endowment for Iowa's health account of the
 11 24 tobacco settlement trust fund created in section 12E.12, for
 11 25 the designated fiscal years, the following amounts, to be used
 11 26 for the purposes specified in section 12E.12 for the endowment
 11 27 for Iowa's health account:

11 28 FY 2001-2002	\$ 7,248,000
11 29 FY 2003-2004	\$ 0
11 30 FY 2004-2005	\$ 0
11 31 FY 2005-2006	\$ 29,562,000
11 32	<u>0</u>
11 33 FY 2006-2007	\$ 17,773,000

11 34 Sec. 29. Section 8.55, subsection 2, paragraphs b and d,
 11 35 Code 2005, are amended by striking the paragraphs.

12 1 Sec. 30. Section 8.55, subsection 2, paragraph c, Code
 12 2 2005, is amended to read as follows:
 12 3 c. Notwithstanding paragraph "a", any moneys in excess of
 12 4 the maximum balance in the economic emergency fund after the
 12 5 distribution of the surplus in the general fund of the state
 12 6 at the conclusion of each fiscal year ~~and after the~~
 12 7 ~~appropriate amount has been transferred pursuant to paragraph~~

CODE: Repeals the FY 2006 General Fund appropriation of \$29,562,000 to the Endowment for Iowa's Health Account.

DETAIL: These funds were originally appropriated in SF 533 (FY 2002 Tobacco Settlement Trust Fund Appropriations Act) for the purpose of funding the Endowment for Iowa's Health Account. The Endowment also receives an annual allocation of \$70,000,000 from the State Wagering Tax. The Endowment was established to provide a long-term funding source for the Healthy Iowans Tobacco Trust to be used for health care, substance abuse treatment and enforcement, tobacco use prevention and control, and other purposes related to the needs of children, adults, and facilities in the State.

CODE: Repeals the provision to reimburse the Endowment for Iowa's Health Account.

DETAIL: Eliminates total estimated repayments of \$171,536,000 from the General Fund.

CODE: Technical correction to current statutory language to remove paragraph references.

12 8 "b", shall not be transferred to the general fund of the state
 12 9 but shall be transferred to the senior living trust fund. The
 12 10 total amount transferred, in the aggregate, under this
 12 11 paragraph for all fiscal years shall not exceed one hundred
 12 12 eighteen million dollars.

12 13 Sec. 31. Section 256D.5, subsection 4, Code 2005, is
 12 14 amended to read as follows:
 12 15 4. For each fiscal year of the fiscal year period
 12 16 beginning July 1, 2004, and ending June 30, ~~2005~~ 2006, the sum
 12 17 of twenty-nine million two hundred fifty thousand dollars.

CODE: Extends the sunset and the \$29,250,000 General Fund appropriation for the Early Intervention Block Grant Program (Class Size Reduction) for one year until the end of FY 2006.

12 18 Sec. 32. Section 284.13, subsection 1, paragraph dd, as
 12 19 enacted by 2005 Iowa Acts, House File 816, section 23, if
 12 20 enacted, is amended to read as follows:
 12 21 dd. For the fiscal year beginning July 1, 2005, and ending
 12 22 June 30, 2006, up to ~~eight~~ seventeen million ~~nine~~ eight
 12 23 hundred thousand dollars to the department of education for
 12 24 use by school districts to add ~~one~~ two additional teacher
 12 25 contract ~~day~~ days to the school calendar. Prior to receiving
 12 26 funds under this paragraph, a school district shall submit for
 12 27 approval to the department the school district's professional
 12 28 development plan for use of the moneys. From the moneys
 12 29 allocated to the department pursuant to this paragraph, not
 12 30 less than seventy-five thousand dollars shall be used to
 12 31 administer the ambassador to education position in accordance
 12 32 with section 256.45 and the reporting and plan requirements of
 12 33 this subsection shall not apply to this allocation. The
 12 34 department shall submit a report on school district use of the
 12 35 moneys distributed pursuant to this paragraph to the
 13 1 chairpersons and ranking members of the house and senate
 13 2 standing committees on education, the joint appropriations
 13 3 subcommittee on education, and the legislative services agency
 13 4 not later than January 15, 2006.

CODE: Allocates \$17,800,000 from the FY 2006 General Fund appropriation to the Student Achievement and Teacher Quality Program for two additional teacher contract days.

DETAIL: This is a new allocation. It is an increase of \$8,900,000 and one additional contract day compared to the original allocation in HF 816 (FY 2006 Education Appropriations Bill).

13 5 Sec. 33. Section 490A.131, subsection 5, if enacted by

CODE: Specifies that businesses are required to file a biennial report

13 6 2005 Iowa Acts, House File 859, section 109, is amended to
13 7 read as follows:
13 8 5. The first biennial report shall be delivered to the
13 9 secretary of state between January 1 and April 1 of the first
13 10 ~~odd-numbered~~ even-numbered year following the calendar year in
13 11 which a limited liability company was formed or a foreign
13 12 limited liability company was authorized to transact business.
13 13 Subsequent biennial reports must be delivered to the secretary
13 14 of state between January 1 and April 1 of the following ~~odd-~~
13 15 ~~numbered~~ even-numbered calendar years. A filing fee for the
13 16 biennial report shall be determined by the secretary of state
13 17 and deposited into the general fund of the state. For
13 18 purposes of this section, each biennial report shall contain
13 19 information related to the two-year period immediately
13 20 preceding the calendar year in which the report is filed.

with the Secretary of State by March 31 of each even-numbered year.

DETAIL: It is estimated that 70,000 business entities will file the biennial report and pay a fee of \$35.00. This will increase revenue to the General Fund by \$2,500,000 per year.

Section 10 of this Bill makes an appropriation to the Secretary of State for the costs of administering the reporting requirement.

13 21 Sec. 34. Section 292.4, Code 2005, is repealed.

CODE: Repeals the annual \$5,000,000 standing appropriation for the Secure an Advanced Vision for Education Fund.

DETAIL: This Section is made retroactive to July 1, 2004, effectively deappropriating the FY 2005 appropriation (see below).

13 22 Sec. 35. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

13 23 1. The section of this division of this Act repealing
13 24 section 292.4, being deemed of immediate importance, takes
13 25 effect upon enactment and applies retroactively to July 1,
13 26 2004.

Specifies that the Section of the Bill, repealing the standing appropriation for the Secure an Advanced Vision for Education Fund, takes effect upon enactment and is retroactive to July 1, 2004.

13 27 2. The section of this division of this Act amending House
13 28 File 810 to increase the funding and FTEs for the banking
13 29 division is contingent upon the enactment of House File 737.

Specifies that the Section of the Bill increasing funding for the Banking Division of the Department of Commerce is contingent upon the enactment of House File 737 (Mortgage Brokers Licensing Bill).

13 30 3. The section of this division of this Act amending House
13 31 File 810 to increase the funding and FTEs for the professional

Specifies that the Section of the Bill increasing funding for the Professional Licensing and Regulation Division of the Department of

13 32 licensing and regulation division is contingent upon the
13 33 enactment of Senate File 405.

Commerce is contingent upon the enactment of Senate File 405
(Interior Designers Title Bill).

13 34 DIVISION IV
13 35 MISCELLANEOUS STATUTORY CHANGES

14 1 Sec. 36. Section 12B.10, Code 2005, is amended by adding
14 2 the following new subsections:
14 3 NEW SUBSECTION. 7. Notwithstanding sections 12C.2, 12C.4,
14 4 12C.6, 12C.6A, and any other provision of law relating to the
14 5 deposits of public funds, if public funds are deposited in a
14 6 depository, as defined in section 12C.1, then, in addition to
14 7 investments authorized in subsections 4 and 5, any uninsured
14 8 portion of the public funds invested through the depository
14 9 may be invested in certificates of deposit arranged by the
14 10 depository that are issued by one or more federally insured
14 11 banks or savings associations regardless of location for the
14 12 account of the public funds depositor if all of the following
14 13 requirements are satisfied:

14 14 a. The full amount of the principal and any accrued
14 15 interest of each certificate of deposit issued shall be
14 16 covered by federal deposit insurance.

14 17 b. The depository, either directly or through an agent or
14 18 subcustodian, shall act as custodian of the certificates of
14 19 deposit.

14 20 c. The day the certificates of deposit are issued, the
14 21 depository shall have received deposits in an amount eligible
14 22 for federal deposit insurance from, and issued certificates of
14 23 deposit to, customers of other financial institutions wherever
14 24 located that are equal to or greater than the amount of public
14 25 funds invested under this subsection by the public funds
14 26 depositor through the depository.

CODE: Requires that the principal and interest portions of public fund
deposits be covered by federal deposit insurance. Specifies that the
depository is the custodian of certificates of deposit and that
certificates of deposit must be covered by federal deposit insurance.

14 27 NEW SUBSECTION. 8. As used in this section, "public
14 28 funds" means the same as defined in section 12C.1, subsection

CODE: Expands the definition of "public funds" to include funds of the
State or a political subdivision or instrumentality of the State

14 29 2.	including a county, school corporation, special district, drainage district, unincorporated town or township, municipality, or municipal corporation or any agency, board, or commission of the State or a political subdivision. Moneys of the State include moneys which are transmitted to a depository for purposes of completing an electronic financial transaction.
14 30 Sec. 37. Section 12C.22, subsection 2, unnumbered 14 31 paragraph 1, Code 2005, is amended to read as follows: 14 32 The amount of the collateral required to be pledged by a 14 33 bank shall at all times equal or exceed the total of the 14 34 amount by which the public funds deposits in the bank exceeds 14 35 the total capital of the bank. <u>For purposes of this section,</u> 15 1 <u>deposits that comply with section 12B.10, subsection 7, that</u> 15 2 <u>are evidenced either by one or more certificates of deposit,</u> 15 3 <u>or one or more orders for the next business day settlement and</u> 15 4 <u>issuance of certificates of deposit, by a federally insured</u> 15 5 <u>bank or savings association other than the depository, shall</u> 15 6 <u>not be deemed public fund deposits in the bank or savings</u> 15 7 <u>association.</u> For purposes of this chapter, unless the context 15 8 otherwise requires, "total capital of the bank" means its tier 15 9 one capital plus both of the following components of tier two 15 10 capital:	CODE: Specifies that certificates of deposit that cover uninsured public funds are not considered public fund deposits for purposes of calculating the amount of collateral required to be pledged.
15 11 Sec. 38. Section 12C.23A, subsection 3, paragraph d, Code 15 12 2005, is amended by adding the following new unnumbered 15 13 paragraph: 15 14 <u>NEW UNNUMBERED PARAGRAPH.</u> For purposes of this section, 15 15 when calculating uninsured public funds, a bank shall include 15 16 all deposits of customers of other financial institutions as 15 17 permitted by section 12B.10, subsection 7.	CODE: Requires banks to include all deposits from customers or other financial institutions authorized in Section 36 of this Bill, when calculating uninsured public funds to determine the amount of assessment.
15 18 Sec. 39. Section 15E.193B, subsection 5, Code 2005, is 15 19 amended by adding the following new paragraph: 15 20 <u>NEW PARAGRAPH.</u> f. If the eligible housing business is a	CODE: Specifies information to be provided to the Enterprise Zone Commission by an eligible housing business organized as a partnership, S corporation, or limited liability company, using low-income housing tax credits under Section 42 of the Internal Revenue

15 21 partnership, S corporation, or limited liability company using
 15 22 low-income housing tax credits authorized under section 42 of
 15 23 the Internal Revenue Code to assist in the financing of the
 15 24 housing development, the name of any partner if the business
 15 25 is a partnership, a shareholder if the business is an S
 15 26 corporation, or a member if the business is a limited
 15 27 liability company and the amount designated as allowed under
 15 28 subsection 8.

Code.

15 29 Sec. 40. Section 15E.193B, subsection 6, paragraph a, Code
 15 30 2005, is amended to read as follows:

15 31 a. An eligible housing business may claim a tax credit up
 15 32 to a maximum of ten percent of the new investment which is
 15 33 directly related to the building or rehabilitating of a
 15 34 minimum of four single-family homes located in that part of a
 15 35 city or county in which there is a designated enterprise zone
 16 1 or one multiple dwelling unit building containing three or
 16 2 more individual dwelling units located in that part of a city
 16 3 or county in which there is a designated enterprise zone. The
 16 4 new investment that may be used to compute the tax credit
 16 5 shall not exceed the new investment used for the first one
 16 6 hundred forty thousand dollars of value for each single-family
 16 7 home or for each unit of a multiple dwelling unit building
 16 8 containing three or more units. The tax credit may be used to
 16 9 reduce the tax liability imposed under chapter 422, division
 16 10 II, III, or V, or chapter 432. Any credit in excess of the
 16 11 tax liability for the tax year may be credited to the tax
 16 12 liability for the following seven years or until depleted,
 16 13 whichever occurs earlier. If the business is a partnership, S
 16 14 corporation, limited liability company, or estate or trust
 16 15 electing to have the income taxed directly to the individual,
 16 16 an individual may claim the tax credit allowed. The amount
 16 17 claimed by the individual shall be based upon the pro rata
 16 18 share of the individual's earnings of the partnership, S
 16 19 corporation, limited liability company, or estate or trust
 16 20 except as allowed for under subsection 8 when low-income

CODE: Provides an exception for claiming of investment tax credits under the Enterprise Zone Program based on a pro rata share of earnings for individuals in a partnership, S corporation, limited liability company, or estate or trust for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code.

DETAIL: Investment tax credits for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code are transferable or saleable under current law.

Under the proposed legislation, individuals in a business entity will not have to share in the earnings of the business entity, thereby increasing their tax liability, in order to claim a tax credit.

16 21 housing tax credits authorized under section 42 of the
16 22 Internal Revenue Code are used to assist in the financing of
16 23 the housing development.

16 24 Sec. 41. Section 15E.193B, subsection 8, unnumbered
16 25 paragraph 1, Code 2005, is amended to read as follows:
16 26 The amount of the tax credits determined pursuant to
16 27 subsection 6, paragraph "a", for each project shall be
16 28 approved by the department of economic development. The
16 29 department shall utilize the financial information required to
16 30 be provided under subsection 5, paragraph "e", to determine
16 31 the tax credits allowed for each project. In determining the
16 32 amount of tax credits to be allowed for a project, the
16 33 department shall not include the portion of the project cost
16 34 financed through federal, state, and local government tax
16 35 credits, grants, and forgivable loans. Upon approving the
17 1 amount of the tax credit, the department of economic
17 2 development shall issue a tax credit certificate to the
17 3 eligible housing business except when low-income housing tax
17 4 credits authorized under section 42 of the Internal Revenue
17 5 Code are used to assist in the financing of the housing
17 6 development in which case the tax credit certificate may be
17 7 issued to a partner if the business is a partnership, a
17 8 shareholder if the business is an S corporation, or a member
17 9 if the business is a limited liability company in the amounts
17 10 designated by the eligible partnership, S corporation, or
17 11 limited liability company. An eligible housing business or
17 12 the designated partner if the business is a partnership,
17 13 designated shareholder if the business is an S corporation, or
17 14 designated member if the business is a limited liability
17 15 company, or transferee shall not claim the tax credit unless a
17 16 tax credit certificate issued by the department of economic
17 17 development is attached to the taxpayer's return for the tax
17 18 year for which the tax credit is claimed. The tax credit
17 19 certificate shall contain the taxpayer's name, address, tax
17 20 identification number, the amount of the tax credit, and other

CODE: Allows the Department of Economic Development to issue a tax credit under the Enterprise Zone Program to a partner, shareholder, or member of the eligible housing business as designated by the business for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code.

17 21 information required by the department of revenue. The tax
17 22 credit certificate shall be transferable if low-income housing
17 23 tax credits authorized under section 42 of the Internal
17 24 Revenue Code are used to assist in the financing of the
17 25 housing development. Tax credit certificates issued under
17 26 this chapter may be transferred to any person or entity.
17 27 Within ninety days of transfer, the transferee must submit the
17 28 transferred tax credit certificate to the department of
17 29 economic development along with a statement containing the
17 30 transferee's name, tax identification number, and address, and
17 31 the denomination that each replacement tax credit certificate
17 32 is to carry and any other information required by the
17 33 department of revenue. Within thirty days of receiving the
17 34 transferred tax credit certificate and the transferee's
17 35 statement, the department of economic development shall issue
18 1 one or more replacement tax credit certificates to the
18 2 transferee. Each replacement certificate must contain the
18 3 information required to receive the original certificate and
18 4 must have the same expiration date that appeared in the
18 5 transferred tax credit certificate. Tax credit certificate
18 6 amounts of less than the minimum amount established by rule of
18 7 the department of economic development shall not be
18 8 transferable. A tax credit shall not be claimed by a
18 9 transferee under subsection 6, paragraph "a", until a
18 10 replacement tax credit certificate identifying the transferee
18 11 as the proper holder has been issued.

18 12 Sec. 42. Section 124.212, subsection 4, paragraph c, as
18 13 enacted by 2005 Iowa Acts, Senate File 169, section 1, is
18 14 amended to read as follows:
18 15 c. Pseudoephedrine. A person shall present a government-
18 16 issued photo identification card when purchasing a
18 17 pseudoephedrine product from a pharmacy. A person shall not
18 18 purchase more than seven thousand five hundred milligrams of
18 19 pseudoephedrine, either separately or collectively, within a
18 20 thirty-day period from a pharmacy, unless the person has a

CODE: Requires that a government-issued photo identification card
be presented to the pharmacist when purchasing pseudoephedrine.

18 21 prescription for a pseudoephedrine product in excess of that
18 22 quantity.

18 23 Sec. 43. Section 142A.4, Code 2005, is amended by adding
18 24 the following new subsection:
18 25 NEW SUBSECTION. 23. Approve the content of any materials
18 26 distributed by the youth program pursuant to section 142A.9,
18 27 prior to distribution of the materials.

CODE: Requires the Tobacco Use Prevention and Control Commission to approve materials distributed by the Just Eliminate Lies (JEL) Youth Program prior to distribution.

18 28 Sec. 44. Section 257.14, subsection 3, unnumbered
18 29 paragraph 2, Code 2005, is amended by striking the unnumbered
18 30 paragraph.

CODE: Repeals the requirement that school districts receive the scaled-down budget guarantee in FY 2005 to be eligible for that option in subsequent years.

18 31 Sec. 45. Section 422.11D, subsection 2, Code 2005, is
18 32 amended to read as follows:
18 33 2. An individual may claim a property rehabilitation tax
18 34 credit allowed a partnership, limited liability company, S
18 35 corporation, estate, or trust electing to have the income
19 1 taxed directly to the individual. The amount claimed by the
19 2 individual shall be based upon the pro rata share of the
19 3 individual's earnings of a partnership, limited liability
19 4 company, S corporation, estate, or trust except when low-
19 5 income housing tax credits authorized under section 42 of the
19 6 Internal Revenue Code are used to assist in the financing of
19 7 the housing development in which case the amount claimed by a
19 8 partner if the business is a partnership, a shareholder if the
19 9 business is an S corporation, or a member if the business is a
19 10 limited liability company shall be based on the amounts
19 11 designated by the eligible partnership, S corporation, or
19 12 limited liability company.

CODE: Provides an exception for claiming of Property Rehabilitation Tax Credits based on a pro rata share of earnings for individuals in a partnership, S corporation, limited liability company, estate or trust for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code.

DETAIL: Investment tax credits for projects using low-income housing tax credits under Section 42 of the Internal Revenue Code are transferable or saleable under current law.

Under the proposed legislation, individuals in a business entity will not have to share in the earnings of the business entity, thereby increasing their tax liability, in order to claim a tax credit.

19 13 Sec. 46. Section 423.3, Code 2005, is amended by adding
19 14 the following new subsection:
19 15 NEW SUBSECTION. 29A. The sales price of all goods, wares,

CODE: Provides a sales tax exemption for construction of residential treatment facilities for youth with emotional or behavioral disorders and licensed under Chapter 237 (child foster care facilities) or

19 16 or merchandise sold, or of services furnished, which are used
 19 17 in the fulfillment of a written construction contract with a
 19 18 residential treatment facility for youth with emotional or
 19 19 behavioral disorders licensed pursuant to chapter 237 or 135H
 19 20 if all of the following apply:
 19 21 a. The sales and delivery of the goods, wares, or
 19 22 merchandise, or the services furnished occurred between July
 19 23 1, 2004, and December 31, 2006.
 19 24 b. The written construction contract was entered into
 19 25 after December 31, 2003.
 19 26 c. The sales or services were purchased by a contractor as
 19 27 the agent for the facility or were purchased directly by the
 19 28 facility.

Chapter 135H (psychiatric medical institutions for children), Code of Iowa. To qualify for the exemption, the written construction contract for the facility must have been signed after December 1, 2003, and the exempt expenses must occur between July 1, 2004, and December 31, 2006.

DETAIL: This is estimated to reduce net General Fund revenue by \$200,000 in FY 2006. The exemption is assumed to impact at least two facilities currently under development.

19 29 Sec. 47. Section 423E.5, unnumbered paragraph 1, Code
 19 30 2005, is amended to read as follows:
 19 31 The board of directors of a school district shall be
 19 32 authorized to issue negotiable, interest-bearing school bonds,
 19 33 without election, and utilize tax receipts derived from the
 19 34 sales and services tax for school infrastructure purposes and
 19 35 the supplemental school infrastructure amount distributed
 20 1 pursuant to section 423E.4, subsection 2, paragraph "b", for
 20 2 principal and interest repayment. Proceeds of the bonds
 20 3 issued pursuant to this section shall be utilized solely for
 20 4 school infrastructure needs as school infrastructure is
 20 5 defined in section 423E.1, subsection 3. Bonds issued under
 20 6 this section may be sold at public ~~or private~~ sale as provided
 20 7 in chapter 75, or at private sale, without notice and hearing
 20 8 as provided in section 73A.12. Bonds may bear dates, bear
 20 9 interest at rates not exceeding that permitted by chapter 74A,
 20 10 mature in one or more installments, be in registered form,
 20 11 carry registration and conversion privileges, be payable as to
 20 12 principal and interest at times and places, be subject to
 20 13 terms of redemption prior to maturity with or without premium,
 20 14 and be in one or more denominations, all as provided by the
 20 15 resolution of the board of directors authorizing their

CODE: Permits the private sale of bonds in anticipation of revenues from the School Infrastructure Local Option (SILO) Sales and Services Tax in a manner similar to that permitted for the regular city and county sales and services tax revenue bonds.

20 16 issuance. The resolution may also prescribe additional
20 17 provisions, terms, conditions, and covenants which the board
20 18 of directors deems advisable, including provisions for
20 19 creating and maintaining reserve funds, the issuance of
20 20 additional bonds ranking on a parity with such bonds and
20 21 additional bonds junior and subordinate to such bonds, and
20 22 that such bonds shall rank on a parity with or be junior and
20 23 subordinate to any bonds which may be then outstanding. Bonds
20 24 may be issued to refund outstanding and previously issued
20 25 bonds under this section. Local option sales and services tax
20 26 revenue bonds are a contract between the school district and
20 27 holders, and the resolution issuing the bonds and pledging
20 28 local option sales and services tax revenues to the payment of
20 29 principal and interest on the bonds is a part of the contract.
20 30 Bonds issued pursuant to this section shall not constitute
20 31 indebtedness within the meaning of any constitutional or
20 32 statutory debt limitation or restriction, and shall not be
20 33 subject to any other law relating to the authorization,
20 34 issuance, or sale of bonds.

20 35 Sec. 48. Section 427.1, Code 2005, is amended by adding
21 1 the following new subsection:
21 2 NEW SUBSECTION. 21A. Dwelling unit property owned and
21 3 managed by a nonprofit organization if the nonprofit
21 4 organization owns and manages more than forty dwelling units
21 5 that are located in a city with a population of more than one
21 6 hundred ten thousand which has a public housing authority that
21 7 does not own or manage housing stock for the purpose of low-
21 8 rent housing.

CODE: Specifies that low-rent public housing units owned and managed by a nonprofit organization and located in a city with more than 110,000 in population, where the city does not own or manage low-rent housing stock, are exempt from property taxes.

21 9 Sec. 49. Section 456A.37, subsection 1, paragraph c, Code
21 10 2005, is amended to read as follows:
21 11 c. "Aquatic invasive species" means a species that is not
21 12 native to an ecosystem and whose introduction causes or is
21 13 likely to cause economic or environmental harm or harm to

CODE: Allows the Natural Resource Commission to identify additional species as aquatic invasive species.

DETAIL: Aquatic invasive species are alien species that have been introduced into an ecosystem and often reproduce dramatically as there are no natural competitors such as disease or predators. As

21 14 human health including but not limited to habitat alteration
 21 15 and degradation, and loss of biodiversity. For the purposes
 21 16 of this section, "aquatic invasive species" are limited to
 21 17 Eurasian water milfoil, purple loosestrife, and zebra mussels,
 21 18 ~~except as provided in subsection 4 and those species~~
 21 19 identified as "aquatic invasive species" by the commission by
 21 20 rule.

they increase in number, they affect the structure and function of the native ecosystem and can eliminate the native species.

21 21 Sec. 50. Section 456A.37, subsection 4, unnumbered
 21 22 paragraph 2, Code 2005, is amended to read as follows:
 21 23 c. If the commission determines that an additional species
 21 24 should be defined as an "aquatic invasive species", the
 21 25 species ~~may shall~~ be defined by the commission by rule as an
 21 26 "aquatic invasive species" ~~subject to enactment of the~~
 21 27 ~~definition by the general assembly at the next regular session~~
 21 28 ~~of the general assembly. Failure of the general assembly to~~
 21 29 ~~enact the definition pursuant to this paragraph constitutes a~~
 21 30 ~~nullification of the definition effective upon adjournment of~~
 21 31 ~~that next regular session of the general assembly.~~

CODE: Specifies that additions to the aquatic invasive species listing will be done through the Administrative Rules process.

21 32 Sec. 51. Section 543B.34, subsection 9, paragraph a,
 21 33 unnumbered paragraph 1, Code 2005, is amended to read as
 21 34 follows:
 21 35 Paying a commission or other valuable consideration or any
 22 1 part of such commission or consideration for performing any of
 22 2 the acts specified in this chapter to a person who is not a
 22 3 licensed broker or salesperson under this chapter or who is
 22 4 not engaged in the real estate business in another state or
 22 5 foreign country, ~~or paying a commission or other valuable~~
 22 6 ~~consideration for performing any of the acts specified in this~~
 22 7 ~~chapter to a licensee knowing that the licensee will pay a~~
 22 8 ~~portion of or all of such commission or consideration to a~~
 22 9 ~~person or party who is not licensed pursuant to this chapter,~~
 22 10 provided that the provisions of this section shall not be
 22 11 construed to prohibit the payment of earned commissions or
 22 12 consideration to any of the following:

CODE: Repeals potential sanctions for real estate brokers and salespersons that pay consideration to real estate licensees, knowing that the licensee will pay a portion of the consideration to a person that is not licensed.

22 13 Sec. 52. Section 543B.60A, Code 2005, is amended by
22 14 striking the section and inserting in lieu thereof the
22 15 following:
22 16 543B.60A PROHIBITED PRACTICES.
22 17 1. A licensee shall not request a referral fee after a
22 18 bona fide offer to purchase is accepted.
22 19 2. A licensee shall not request a referral fee after a
22 20 bona fide listing agreement has been signed.
22 21 3. A licensee shall not offer, promote, perform, provide,
22 22 or otherwise participate in any marketing plan that requires a
22 23 consumer to receive brokerage services, including referral
22 24 services, from two or more licensees in a single real estate
22 25 transaction, as a required condition for the consumer to
22 26 receive either of the following:
22 27 a. Brokerage services from one or more of such licensees.
22 28 b. A rebate, prize, or other inducement from one or more
22 29 such licensees.
22 30 4. For purposes of this section, "consumer" shall include
22 31 parties or prospective parties to a real estate transaction,
22 32 clients or prospective clients of a licensee, or customers or
22 33 prospective customers of a licensee.
22 34 5. This section does not address relationships between a
22 35 broker and the broker associates or salespersons licensed
23 1 under, employed by, or otherwise associated with the broker in
23 2 a real estate brokerage agency.
23 3 6. A violation of this section is deemed a violation of
23 4 section 543B.29, subsection 3.
23 5 7. The purpose of this section is to prohibit licensee
23 6 practices that interfere with contractual arrangements, place
23 7 improper restrictions on consumer choice, compromise a
23 8 licensee's fiduciary obligations, and create conflicts of
23 9 interest.

CODE: Amends the restrictions and prohibited practices for real estate licensees.

23 10 Sec. 53. Section 579A.2, subsection 3, paragraph b, Code
23 11 2005, is amended to read as follows:
23 12 b. The lien terminates one year after the cattle have left

CODE: Strikes language regarding financial statements that perfect a lien.

23 13 the custom cattle feedlot. ~~Section 554.9515 shall not apply-~~
23 14 ~~to a financing statement perfecting the lien.~~ The lien may be
23 15 terminated by the custom cattle feedlot operator who files a
23 16 termination statement as provided in chapter 554, article 9.

23 17 Sec. 54. Section 579B.4, subsection 1, paragraph b, Code
23 18 2005, is amended to read as follows:

23 19 b. For a lien arising out of producing a crop, the lien
23 20 becomes effective the day that the crop is first planted. In
23 21 order to perfect the lien, the contract producer must file a
23 22 financing statement in the office of the secretary of state as
23 23 provided in section 554.9308. The contract producer must file
23 24 a financing statement for the crop within forty-five days
23 25 after the crop is first planted. The lien terminates one year
23 26 after the crop is no longer under the authority of the
23 27 contract producer. For purposes of this section, a crop is no
23 28 longer under the authority of the contract producer when the
23 29 crop or a warehouse receipt issued by a warehouse operator
23 30 licensed under chapter 203C for grain from the crop is no
23 31 longer under the custody or control of the contract producer.
23 32 ~~Section 554.9515 shall not apply to a financing statement-~~
23 33 ~~perfecting the lien.~~ The lien may be terminated by the
23 34 contract producer who files a termination statement as
23 35 provided in chapter 554, article 9.

CODE: Strikes language regarding financial statements that perfect a lien.

24 1 Sec. 55. EFFECTIVE DATE. The section of this division of
24 2 this Act enacting section 423.3, subsection 29A, being deemed
24 3 of immediate importance, takes effect upon enactment.

Specifies that the portion of the Bill providing a sales tax exemption for construction of residential treatment facilities for youth takes effect upon enactment.

24 4 Sec. 56. 2005 Iowa Acts, House File 739, if enacted, is
24 5 amended by adding the following new section:
24 6 NEW SECTION. Sec. __. EFFECTIVE DATE. The section of
24 7 this Act amending section 262.9 to establish a research
24 8 triangle and clearinghouse takes effect July 1, 2006.

Specifies that the portion of HF 739 (Learning Technology Bill) establishing a research triangle and clearinghouse, if enacted, takes effect July 1, 2006.

24 9 Sec. 57. BUDGET GUARANTEE RESOLUTION -- RESOLUTION
24 10 ADOPTION EXTENSION. Notwithstanding the provisions of section
24 11 257.14, subsection 3, unnumbered paragraph 3, a school
24 12 district that wishes to receive a budget adjustment pursuant
24 13 to that subsection for the school budget year beginning July
24 14 1, 2005, shall have until June 1, 2005, to adopt a resolution
24 15 to receive the budget adjustment and to notify the department
24 16 of management of the adoption of the resolution and the amount
24 17 of the budget adjustment to be received.

CODE: Extends the FY 2006 deadline for a school board to adopt a resolution to receive the budget guarantee and notify the Department of Management (DOM) from April 15, 2005, to June 1, 2005.

DETAIL: This delay will allow school districts, that become eligible for the budget guarantee because of the change in this Bill affecting the scaled-down budget guarantee option, the opportunity to adopt a resolution and notify the DOM in order to receive the additional funding.

24 18 Sec. 58. APPLICABILITY PROVISION. The section of this
24 19 division of this Act enacting new subsection 21A to section
24 20 427.1 shall not be considered a property tax exemption within
24 21 the meaning of or for the purposes of section 25B.7.

Specifies that the property tax exemption for low-rent public housing units owned and managed by nonprofit organizations, provided in this Bill, shall not be subject to the statute requiring such exemptions to be fully State funded.

24 22 Sec. 59. EFFECTIVE DATE. The section of this division of
24 23 this Act providing an extension of time for adoption of a
24 24 budget adjustment resolution pursuant to section 257.14,
24 25 subsection 3, for a budget adjustment for the school budget
24 26 year beginning July 1, 2005, being deemed of immediate
24 27 importance, takes effect upon enactment.

Specifies that the portion of the Bill extending the deadline for the school budget guarantee takes effect upon enactment.

24 28 DIVISION V
24 29 JUSTICE SYSTEM AND JUDICIAL BRANCH

24 30 Sec. 60. STUDY OF COURT RULE RELATED TO TRIBAL COURTS.
24 31 The general assembly acknowledges that contact and interaction
24 32 between the Iowa court system and federally recognized tribal
24 33 courts are ever increasing and the general assembly urges the
24 34 Iowa supreme court to study this interaction and consider
24 35 developing and prescribing rules that relate to the tribal
25 1 court system, tribal court orders, judgments, and decrees.

States that the General Assembly encourages the Supreme Court to consider developing and prescribing a rule that recognizes the tribal court system and enforces tribal court orders, judgments, and decrees.

25 2 Sec. 61. NEW SECTION. 80.43 VEHICLE DEPRECIATION ACCOUNT

General Fund appropriations to the Department of Public Safety to be

25 3 -- IOWA STATE PATROL.
 25 4 1. There is appropriated from the general fund of the
 25 5 state to the department of public safety for the indicated
 25 6 fiscal years, the following amounts, or so much thereof as is
 25 7 necessary, to be credited to the department's account under
 25 8 section 8A.365 for vehicles utilized by the Iowa state patrol
 25 9 and to be used as directed by the department of public safety
 25 10 for the purchase of state patrol vehicles:
 25 11 a. For the fiscal year beginning July 1, 2005, and ending
 25 12 June 30, 2006, five hundred ninety-six thousand dollars.
 25 13 b. For the fiscal year beginning July 1, 2006, and ending
 25 14 June 30, 2007, seven hundred nine thousand dollars.
 25 15 c. For the fiscal year beginning July 1, 2007, and ending
 25 16 June 30, 2008, eight hundred forty-one thousand dollars.
 25 17 d. For the fiscal year beginning July 1, 2008, and ending
 25 18 June 30, 2009, eight hundred forty-one thousand dollars.
 25 19 2. Notwithstanding section 12C.7, subsection 2, interest
 25 20 or earnings on moneys credited to the account pursuant to this
 25 21 section shall be credited to the account. Notwithstanding
 25 22 sections 8.33 and 8A.365, moneys appropriated in this section
 25 23 that remain unencumbered or unobligated at the close of the
 25 24 fiscal year shall not revert but shall remain available for
 25 25 expenditure for the purposes designated.

credited to the Vehicle Depreciation Account. Makes multiple year appropriations as follows:

- FY 2006 - \$596,000
- FY 2007 - \$709,000
- FY 2008 - \$841,000
- FY 2009 - \$841,000

DETAIL: This language reinstates appropriations that were line-item vetoed by the Governor in HF 826 (Speed Limit Act). These appropriations will be offset by increased General Fund revenue as a result of increased fines and fees in HF 826. The funds are to be used to purchase vehicles for the Iowa State Patrol. The number of cars estimated to be purchased with these funds is as follows:

- FY 2006 - 28 cars
- FY 2007 - 34 cars
- FY 2008 - 40 cars
- FY 2009 - 40 cars

Requires interest earned on the Fund to be deposited in the Fund and specifies nonreversion of funds.

25 26 Sec. 62. Section 602.6401, subsection 1, Code 2005, is
 25 27 amended to read as follows:
 25 28 1. ~~One~~ Two hundred ~~ninety-one~~ six magistrates shall be
 25 29 apportioned among the counties as provided in this section.
 25 30 Magistrates appointed pursuant to section 602.6402 shall not
 25 31 be counted for purposes of this section.

CODE: Increases the number of magistrates from 191 to 206.

DETAIL: The estimated annual cost of salary and benefits for each magistrate is approximately \$36,000 per year. The cost to add 15 magistrates is approximately \$540,000 per year. The appropriation to the Judicial Branch is increased by \$320,000 in Section 66 of this Bill to partially offset this cost. The remaining cost will be absorbed by the Judicial Branch's operating budget.

25 32 Sec. 63. NEW SECTION. 602.8102A NOTICES RETURNED FOR

CODE: Specifies the Clerk of a District Court is not required to send

25 33 UNKNOWN ADDRESS -- RESENDING.

25 34 Notwithstanding any other provision of the Code to the
 25 35 contrary, and subject to rules prescribed by the supreme
 26 1 court, if the clerk of the district court sends a mailing or
 26 2 notice to a person or party and the mailing or notice is
 26 3 returned by the postal service to the clerk of the district
 26 4 court as undeliverable, the clerk is not required to send a
 26 5 repeat or subsequent mailing or notice unless the clerk
 26 6 receives an updated mailing address.

a repeat or subsequent mailing of returned notice unless an address correction is provided.

26 7 Sec. 64. Section 602.8105, subsection 2, Code 2005, is
 26 8 amended to read as follows:

26 9 2. The clerk of the district court shall collect the
 26 10 following fees for miscellaneous services:

26 11 a. For filing, entering, and endorsing a mechanic's lien,
 26 12 twenty dollars, and if a suit is brought, the fee is taxable
 26 13 as other costs in the action.

26 14 b. For filing and entering an agricultural supply dealer's
 26 15 lien and any other statutory lien, twenty dollars.

26 16 c. For a certificate and seal, ten dollars. However,
 26 17 there shall be no charge for a certificate and seal to an
 26 18 application to procure a pension, bounty, or back pay for a
 26 19 member of the armed services or other person.

26 20 d. For certifying a change in title of real estate, twenty
 26 21 dollars.

26 22 e. For filing a praecipe to issue execution under chapter
 26 23 626, twenty-five dollars.

26 24 f. For filing a praecipe to issue execution under chapter
 26 25 654, fifty dollars.

26 26 g. For filing a confession of judgment under chapter 676,
 26 27 fifty dollars if the judgment is five thousand dollars or
 26 28 less, and one hundred dollars if the judgment exceeds five
 26 29 thousand dollars.

26 30 e- h. Other fees provided by law.

CODE: Adds the following new fees:

- \$25.00 filing fee for a praecipe to issue an execution or enforcement of a judgment (general executions).
- \$50.00 filing fee for a praecipe to issue an execution or foreclosure of real estate mortgages (special executions).
- \$50.00 filing fee for confessions of judgment \$5,000 or less.
- \$100.00 filing fee for confessions of judgment greater than \$5,000.

DETAIL: In calendar year 2004, there were 6,937 general executions, 2,312 special executions, and 640 confessions of judgment. These fee changes will result in approximately \$337,000 in additional revenue to the General Fund annually. Because these are civil filing fees, a 100.00% collection rate is assumed since the action will not proceed unless the fee is paid at the time of filing. These filing fees are for the collection of debts after an order or judgment has been received against the debtor.

26 31 Sec. 65. Section 901.4, Code 2005, is amended to read as

CODE: Permits copies of presentence investigation reports to be

26 32 follows:
26 33 901.4 PRESENTENCE INVESTIGATION REPORT CONFIDENTIAL --
26 34 DISTRIBUTION.
26 35 The presentence investigation report is confidential and
27 1 the court shall provide safeguards to ensure its
27 2 confidentiality, including but not limited to sealing the
27 3 report, which may be opened only by further court order. At
27 4 least three days prior to the date set for sentencing, the
27 5 court shall ~~serve~~ send a copy of all of the presentence
27 6 investigation report ~~upon~~ by ordinary or electronic mail, to
27 7 the defendant's attorney and the attorney for the state, and
27 8 the report shall remain confidential except upon court order.
27 9 However, the court may conceal the identity of the person who
27 10 provided confidential information. The report of a medical
27 11 examination or psychological or psychiatric evaluation shall
27 12 be made available to the attorney for the state and to the
27 13 defendant upon request. The reports are part of the record
27 14 but shall be sealed and opened only on order of the court. If
27 15 the defendant is committed to the custody of the Iowa
27 16 department of corrections and is not a class "A" felon, a copy
27 17 of the presentence investigation report shall be forwarded by
27 18 ordinary or electronic mail to the director with the order of
27 19 commitment by the clerk of the district court and to the board
27 20 of parole at the time of commitment. Pursuant to section
27 21 904.602, the presentence investigation report may also be
27 22 released by ordinary or electronic mail by the department of
27 23 corrections or a judicial district department of correctional
27 24 services to another jurisdiction for the purpose of providing
27 25 interstate probation and parole compact or interstate compact
27 26 for adult offender supervision services or evaluations, or to
27 27 a substance abuse or mental health services provider when
27 28 referring a defendant for services. The defendant or the
27 29 defendant's attorney may file with the presentence
27 30 investigation report, a denial or refutation of the
27 31 allegations, or both, contained in the report. The denial or
27 32 refutation shall be included in the report. If the person is
27 33 sentenced for an offense which requires registration under

sent by regular or electronic mail rather than being served in person.

27 34 chapter 692A, the court shall release the report by ordinary
27 35 or electronic mail to the department.

28 1 Sec. 66. 2005 Iowa Acts, House File 807, section 1,
28 2 subsection 1, unnumbered paragraph 2, if enacted, is amended
28 3 to read as follows:
28 4 For salaries of supreme court justices, appellate court
28 5 judges, district court judges, district associate judges,
28 6 judicial magistrates and staff, state court administrator,
28 7 clerk of the supreme court, district court administrators,
28 8 clerks of the district court, juvenile court officers, board
28 9 of law examiners and board of examiners of shorthand reporters
28 10 and judicial qualifications commission, receipt and
28 11 disbursement of child support payments, reimbursement of the
28 12 auditor of state for expenses incurred in completing audits of
28 13 the offices of the clerks of the district court during the
28 14 fiscal year beginning July 1, 2005, and maintenance,
28 15 equipment, and miscellaneous purposes:
28 16 \$118,084,282
28 17 118,404,282

CODE: Increases the General Fund appropriation to the Judicial Branch by \$320,000.

DETAIL: A portion of this appropriation will be offset by increased revenue resulting from additional filing fees authorized in Section 64 of this Bill. The funds are to be used to offset the cost of adding 15 magistrates (see Section 62).

28 18 Sec. 67. 2005 Iowa Acts, House File 811, section 1,
28 19 subsection 1, paragraph c, if enacted, is amended to read as
28 20 follows:
28 21 c. For legal services for persons in poverty grants as
28 22 provided in section 13.34:
28 23 \$ 0
28 24 750,000

CODE: General Fund appropriation to the Justice Department for the Legal Services Poverty Grants.

DETAIL: This appropriation will be offset by revenue resulting from the assessment of a civil penalty on the entry of a deferred judgment. The funds are to be used to reimburse civil attorneys for indigent clients.

28 25 Sec. 68. 2005 Iowa Acts, House File 811, section 14,
28 26 subsection 3, if enacted, is amended to read as follows:
28 27 3. For the criminalistics laboratory fund, if created in
28 28 section 602.8108:
28 29 \$ 0
28 30 350,000

CODE: General Fund appropriation to the Department of Public Safety for the Crime Lab.

DETAIL: This appropriation will be offset by revenue resulting from increasing the criminal penalty surcharge. The funds are to be used to purchase crime lab equipment.

28 31 DIVISION VI
28 32 EDUCATION

28 33 Sec. 69. Section 11.6, subsection 1, paragraph a,
28 34 unnumbered paragraph 1, Code 2005, is amended to read as
28 35 follows:
29 1 The financial condition and transactions of all cities and
29 2 city offices, counties, county hospitals organized under
29 3 chapters 347 and 347A, memorial hospitals organized under
29 4 chapter 37, entities organized under chapter 28E having gross
29 5 receipts in excess of one hundred thousand dollars in a fiscal
29 6 year, merged areas, area education agencies, and all school
29 7 offices in school districts, shall be examined at least once
29 8 each year, except that cities having a population of seven
29 9 hundred or more but less than two thousand shall be examined
29 10 at least once every four years, and cities having a population
29 11 of less than seven hundred may be examined as otherwise
29 12 provided in this section. The examination shall cover the
29 13 fiscal year next preceding the year in which the audit is
29 14 conducted. The examination of school offices shall include an
29 15 audit of all school funds, the certified annual financial
29 16 report, ~~and~~ the certified enrollment as provided in section
29 17 257.6, and the revenues and expenditures of any nonprofit
29 18 school organization established pursuant to section 279.60.
29 19 Differences in certified enrollment shall be reported to the
29 20 department of management. The examination of a city that owns
29 21 or operates a municipal utility providing local exchange
29 22 services pursuant to chapter 476 shall include an audit of the
29 23 city's compliance with section 388.10. The examination of a
29 24 city that owns or operates a municipal utility providing
29 25 telecommunications services pursuant to section 388.10 shall
29 26 include an audit of the city's compliance with section 388.10.

CODE: Requires the revenues and expenditures of a nonprofit school organization to be included in the examination of the school district's financial condition.

29 27 Sec. 70. Section 256.9, Code 2005, is amended by adding
29 28 the following new subsection:

CODE: Requires the Department of Education to report on the State's progress in closing the achievement gap for minority groups.

29 29 NEW SUBSECTION. 53. Prepare and submit to the
29 30 chairpersons and ranking members of the senate and house
29 31 education committees a report on the state's progress toward
29 32 closing the achievement gap, including student achievement for
29 33 minority subgroups, and a comprehensive summary of state
29 34 agency and local district activities and practices taken in
29 35 the past year to close the achievement gap.

30 1 Sec. 71. NEW SECTION. 279.60 NONPROFIT SCHOOL
30 2 ORGANIZATIONS.
30 3 The board of directors of a school district may take action
30 4 to adopt a resolution to establish, and authorize expenditures
30 5 for the operational support of, an entity or organization for
30 6 the sole benefit of the school district and its students that
30 7 is exempt from federal income taxation under section 501(c)(3)
30 8 of the Internal Revenue Code. The entity or organization
30 9 shall reimburse the school district for expenditures made by
30 10 the school district on behalf of the entity or organization.
30 11 Prior to establishing such an entity or organization, the
30 12 board of directors shall hold a public hearing on the proposal
30 13 to establish such an entity or organization. Such an entity
30 14 or organization shall maintain its records in accordance with
30 15 chapter 22, except that the entity or organization shall
30 16 provide for the anonymity of a donor at the written request of
30 17 the donor. The board of directors of a school district shall
30 18 annually report to the department of education and to the
30 19 local community the administrative expenditures, revenues, and
30 20 activities of the entity or organization established by the
30 21 school district pursuant to this section. The department
30 22 shall include in its annual condition of education report a
30 23 statewide summary of the expenditures and revenues submitted
30 24 in accordance with this section.

CODE: Permits school boards to set up nonprofit organizations or foundations that are tax exempt under Section 501(c)(3) of the Internal Revenue Code for the benefit of the school district and its students. The organization is to reimburse the school district for expenditures made on its behalf. Records and reporting requirements are specified.

30 25 Sec. 72. Section 282.18, subsection 2, Code 2005, is
30 26 amended to read as follows:
30 27 2. By ~~January~~ March 1 of the preceding school year for

CODE: Changes the open-enrollment application date from January 1 to March 1 for grades one through twelve and to September 1 for children entering kindergarten. The school boards are permitted to

30 28 students entering grades one through twelve, or by September 1
 30 29 of the current school year for students entering kindergarten,
 30 30 the parent or guardian shall send notification to the district
 30 31 of residence and the receiving district, on forms prescribed
 30 32 by the department of education, that the parent or guardian
 30 33 intends to enroll the parent's or guardian's child in a public
 30 34 school in another school district. If a parent or guardian
 30 35 fails to file a notification that the parent intends to enroll
 31 1 the parent's or guardian's child in a public school in another
 31 2 district by the deadline of January 1 of the previous year
 31 3 specified in this subsection, and one of the criteria defined
 31 4 in procedures of subsection 4 exists for the failure to meet
 31 5 the deadline or if the request is to enroll a child in
 31 6 kindergarten in a public school in another district, the
 31 7 parent or guardian shall be permitted to enroll the child in
 31 8 the other district in the same manner as if the deadline had
 31 9 been met apply.
 31 10 The board of the receiving district shall enroll the pupil
 31 11 in a school in the receiving district for the following school
 31 12 year unless the receiving district does not have classroom
 31 13 space for the pupil. The board of directors of a receiving
 31 14 district may adopt a policy granting the superintendent of the
 31 15 school district authority to approve open enrollment
 31 16 applications. If the request is granted, the board shall
 31 17 transmit a copy of the form to the parent or guardian and the
 31 18 school district of residence within five days after board
 31 19 action, but not later than March June 1 of the preceding
 31 20 school year. The parent or guardian may withdraw the request
 31 21 at any time prior to the start of the school year. A denial
 31 22 of a request by the board of a receiving district is not
 31 23 subject to appeal.

grant the authority to approve open enrollment applications to the superintendent. Changes the date for notifying parents of open enrollment decisions from March 1 to June 1.

31 24 Sec. 73. Section 282.18, subsection 4, paragraphs a and b,
 31 25 Code 2005, are amended to read as follows:
 31 26 a. After January March 1 of the preceding school year and
 31 27 until the third Friday in September of that calendar year, the

CODE: Permits school boards to grant the authority to the superintendent to approve an open enrollment application after the March 1 deadline if good cause exists. Makes conforming and technical changes.

31 28 parent or guardian shall send notification to the district of
31 29 residence and the receiving district, on forms prescribed by
31 30 the department of education, that good cause, as defined in
31 31 paragraph "b", exists for failure to meet the ~~January~~ March 1
31 32 deadline. The board of directors of a receiving school
31 33 district may adopt a policy granting the superintendent of the
31 34 school district authority to approve open enrollment
31 35 applications submitted after the March 1 deadline. The board
32 1 of the receiving district shall take action to approve the
32 2 request if good cause exists. If the request is granted, the
32 3 board shall transmit a copy of the form to the parent or
32 4 guardian and the school district of residence within five days
32 5 after board action. A denial of a request by the board of a
32 6 receiving district is not subject to appeal.

32 7 b. For purposes of this section, "good cause" means a
32 8 change in a child's residence due to a change in family
32 9 residence, a change in the state in which the family residence
32 10 is located, a change in a child's parents' marital status, a
32 11 guardianship or custody proceeding, placement in foster care,
32 12 adoption, participation in a foreign exchange program, or
32 13 participation in a substance abuse or mental health treatment
32 14 program, or a similar set of circumstances consistent with the
32 15 definition of "good cause"; or a change in the status of a
32 16 child's resident district such as removal of accreditation by
32 17 the state board, surrender of accreditation, or permanent
32 18 closure of a nonpublic school, revocation of a charter school
32 19 contract as provided in section 256F.8, the failure of
32 20 negotiations for a whole-grade sharing, reorganization,
32 21 dissolution agreement or the rejection of a current whole-
32 22 grade sharing agreement, or reorganization plan, or a similar
32 23 set of circumstances consistent with the definition of "good
32 24 cause". If the good cause relates to a change in status of a
32 25 child's school district of residence, however, action by a
32 26 parent or guardian must be taken to file the notification
32 27 within forty-five days of the last board action or within
32 28 thirty days of the certification of the election, whichever is
32 29 applicable to the circumstances.

32 30 Sec. 74. Section 282.18, subsections 5 and 6, Code 2005,
32 31 are amended to read as follows:

32 32 5. Open enrollment applications filed after ~~January~~ March
32 33 1 of the preceding school year that do not qualify for good
32 34 cause as provided in subsection 4 shall be subject to the
32 35 approval of the board of the resident district and the board
33 1 of the receiving district. The parent or guardian shall send
33 2 notification to the district of residence and the receiving
33 3 district that the parent or guardian seeks to enroll the
33 4 parent's or guardian's child in the receiving district. A
33 5 decision of either board to deny an application filed under
33 6 this subsection involving repeated acts of harassment of the
33 7 student or serious health condition of the student that the
33 8 resident district cannot adequately address is subject to
33 9 appeal under section 290.1. The state board shall exercise
33 10 broad discretion to achieve just and equitable results that
33 11 are in the best interest of the affected child or children.

33 12 6. A request under this section is for a period of not
33 13 less than one year. If the request is for more than one year
33 14 and the parent or guardian desires to have the pupil enroll in
33 15 a different district, the parent or guardian may petition the
33 16 current receiving district by ~~January~~ March 1 of the previous
33 17 school year for permission to enroll the pupil in a different
33 18 district for a period of not less than one year. Upon receipt
33 19 of such a request, the current receiving district board may
33 20 act on the request to transfer to the other school district at
33 21 the next regularly scheduled board meeting after the receipt
33 22 of the request. The new receiving district shall enroll the
33 23 pupil in a school in the district unless there is insufficient
33 24 classroom space in the district or unless enrollment of the
33 25 pupil would adversely affect the court-ordered or voluntary
33 26 desegregation plan of the district. A denial of a request to
33 27 change district enrollment within the approved period is not
33 28 subject to appeal. However, a pupil who has been in
33 29 attendance in another district under this section may return
33 30 to the district of residence and enroll at any time, once the
33 31 parent or guardian has notified the district of residence and

CODE: Changes the open-enrollment application date from January 1
to March 1.

33 32 the receiving district in writing of the decision to enroll
33 33 the pupil in the district of residence.

33 34 Sec. 75. Section 423E.4, subsection 6, unnumbered
33 35 paragraph 1, Code 2005, is amended to read as follows:
34 1 A school district with a certified enrollment of fewer than
34 2 two hundred fifty pupils in the entire district or certified
34 3 enrollment of fewer than one hundred pupils in high school
34 4 shall not expend the supplemental school infrastructure amount
34 5 received for new construction or for payments for bonds issued
34 6 for new construction against the supplemental school
34 7 infrastructure amount without prior application to the
34 8 department of education and receipt of a certificate of need
34 9 pursuant to this subsection. However, a certificate of need
34 10 is not required for the payment of outstanding bonds issued
34 11 for new construction pursuant to section 296.1, before April
34 12 1, 2003. A certificate of need is also not required for
34 13 repairing schoolhouses or buildings, equipment, technology, or
34 14 transportation equipment for transporting students as provided
34 15 in section 298.3, or for construction necessary for compliance
34 16 with the federal Americans With Disabilities Act pursuant to
34 17 42 U.S.C. § 12101--12117. In determining whether a
34 18 certificate of need shall be issued or denied, the department
34 19 shall consider all of the following:

CODE: Changes the requirement that school districts expending supplemental school infrastructure funds (SAVE Funds) receive a certificate of need from the Department of Education to apply only to school districts with fewer than 250 students or high schools with fewer than 100 students.

34 20 Sec. 76. RETROACTIVE APPLICABILITY FOR NONPROFIT SCHOOL
34 21 ORGANIZATIONS. The provisions of section 279.60, as enacted
34 22 by this division of this Act, authorizing the board of
34 23 directors of a school district to establish and authorize
34 24 expenditures for the operational support of an entity or
34 25 organization for the sole benefit of the school district and
34 26 its students, apply to entities or organizations established
34 27 by the board of directors of a school district before, on, or
34 28 after July 1, 2005.

Specifies that changes to provisions regarding nonprofit school organizations are effective regardless of when they were established.

34 30 LAND RECORD INFORMATION SYSTEM

34 31 Sec. 77. NEW SECTION. 12B.6 CERTAIN PUBLIC FUNDS OF
34 32 POLITICAL SUBDIVISIONS.

34 33 All funds received, expended, or held by an association of
34 34 elected county officers before, on, or after the effective
34 35 date of this Act, to implement a state-authorized program, are
35 1 subject to audit by the auditor of state at the request of the
35 2 government oversight committees or the legislative council.
35 3 All such funds received or held on and after July 1, 2005,
35 4 shall be deposited in a fund in the office of the treasurer of
35 5 state.

CODE: Requires funds that are expended on a State-authorized program and held by an association of elected county officers are subject to audit. Funds received or held on July 1, 2005, are to be deposited in a fund in the Office of the Treasurer of State.

35 6 Sec. 78. Section 331.605C, subsection 4, Code 2005, is
35 7 amended to read as follows:
35 8 4. The local government electronic transaction fund is
35 9 established in the office of the treasurer of state under the
35 10 control of the treasurer of state. Moneys deposited into the
35 11 fund are not subject to section 8.33. Notwithstanding section
35 12 12C.7, interest or earnings on moneys in the local government
35 13 electronic transaction fund shall be credited to the fund.
35 14 Moneys in the local government electronic transaction fund are
35 15 not subject to transfer, appropriation, or reversion to any
35 16 other fund, or any other use except as provided in this
35 17 subsection. On a monthly basis, the county treasurer shall
35 18 pay each fee collected pursuant to subsection 2 to the
35 19 treasurer of state for deposit into the local government
35 20 electronic transaction fund. Moneys credited to the local
35 21 government electronic transaction fund are appropriated to the
35 22 treasurer of state to be used for the purpose of paying the
35 23 ongoing costs of integrating and maintaining the statewide
35 24 internet website developed and implemented under subsection 1.

CODE: Allows funds that are credited to the Local Government Electronic Transaction Fund and appropriated to the Treasurer of State to be used for ongoing costs of integrating the Statewide internet web site, as well as maintaining the web site.

35 25 Sec. 79. DEPARTMENT OF ADMINISTRATIVE SERVICES REVIEW.

35 26 1. The information technology enterprise in the department
35 27 of administrative services shall commence a review and
35 28 assessment of the implementation of the county land record
35 29 information system created pursuant to section 331.605C and a
35 30 data security audit. The review and assessment shall include
35 31 but not be limited to a review of the functional and system
35 32 requirements, design documentation, software code developed to
35 33 support the business requirements, operational procedures,
35 34 financial flows including a financial forecast, requests for
35 35 proposals, and all contracts. The data security audit shall
36 1 be completed separately, but in conjunction with the system
36 2 review and assessment.

Requires the Information Technology Enterprise in the Department of Administrative Services to conduct an implementation review and data security audit of the County Land Record Information System. The data security audit is to be completed separately.

36 3 2. The information technology enterprise shall be paid for
36 4 the costs of the assessment and audit based on the
36 5 enterprise's published rates. Payments shall be made from
36 6 funds collected pursuant to section 331.605C, subsection 2,
36 7 and deposited with the treasurer of state.

Provides that the Information Technology Enterprise is to be paid for costs associated with the County Land Record Information System review and audit, based on the Enterprise's published rates. Payments are to be made from funds collected as a result of the \$1.00 fee collected for each recorded transaction beginning July 1, 2004. The \$1.00 fee is collected for the purpose of paying the ongoing costs associated with integrating and maintaining the County Land Record Information System.

36 8 3. The information technology enterprise shall provide at
36 9 minimum two updates to the government oversight committees
36 10 regarding the progress of the review and assessment on or
36 11 before December 1, 2005. The government oversight committees
36 12 may request additional updates.

Requires the Information Technology Enterprise to provide at least two updates to the Oversight Committees regarding the progress of the County Land Record Information System review and audit on or before December 1, 2005. The Oversight Committees may request additional updates.

36 13 4. The information technology enterprise shall provide a
36 14 final report regarding the activities completed pursuant to
36 15 this section, including any recommendations, by no later than
36 16 December 30, 2005.

Requires the Information Technology Enterprise to provide a final report regarding all activities pursuant to the review and audit of the County Land Record Information System, including recommendations, by December 30, 2005.

36 17 5. The department of administrative services shall

Requires the Department of Administrative Services to facilitate

36 18 facilitate dialogue to integrate the county land record
36 19 information system created pursuant to section 331.605C with
36 20 electronic government internet applications of county
36 21 treasurers, county recorders, county auditors, and county
36 22 assessors. The department shall file an integration plan with
36 23 the general assembly on or before November 1, 2005. The plan
36 24 shall include integration concepts of the county treasurers,
36 25 county recorders, county auditors, and county assessors.

discussions to integrate the County Land Record Information System with electronic government internet applications of various county officials. The Department is to file an integration plan with the General Assembly on or before November 1, 2005, and is to include integration concepts of the county officials.

36 26 Sec. 80. COUNTY LAND RECORD INFORMATION SYSTEM --
36 27 ADDITIONAL PROVISIONS.

36 28 1. The board of supervisors of each county, on behalf of
36 29 each county recorder, shall execute a chapter 28E agreement
36 30 with the Iowa county recorders association for the
36 31 implementation of the county land record information system.
36 32 Such agreement shall require the Iowa county recorders
36 33 association to execute contracts necessary for implementation
36 34 of the county land record information system. The department
36 35 of administrative services shall prescribe a uniform chapter
37 1 28E agreement to be used by the counties, allowing for
37 2 variances as to each county. The Iowa county recorders
37 3 association shall submit to the general assembly on or before
37 4 November 1, 2005, a long-range business plan for implementing
37 5 and maintaining the county land record information system,
37 6 including a plan for integrating the system with electronic
37 7 government and internet applications of other governmental
37 8 entities.

Requires the Board of Supervisors of each county to execute a 28E agreement with the Iowa County Recorders Association for implementation of the County Land Record Information System. The agreement will require the Association to execute contracts necessary for implementation of the System. The DAS is to impose a uniform Chapter 28E agreement, allowing for variances for each county. The Iowa County Recorders Association is to submit to the General Assembly on or before November 1, 2005, a long-range plan for implementing and maintaining the System, including a plan for integrating the System with other electronic government internet applications. Polk County has agreed not to be part of the System.

37 9 2. The auditor of state shall conduct an audit of the fees
37 10 collected pursuant to section 331.605C for the purpose of
37 11 determining the amount of fees collected and the uses for
37 12 which such fees have been and are being expended. Audit
37 13 results shall be filed with the general assembly on or before
37 14 November 1, 2005. The cost of the audit, not to exceed five

Requires the Auditor of State to conduct an audit of the fees currently collected by county auditors for recorded transactions, to determine the amount and use for which the fees have been expended. The cost of the audit is not to exceed \$5,000, and is to be paid from the Local Government Transaction Fund in the Office of the Treasurer of State.

37 15 thousand dollars, shall be paid from the local government
37 16 electronic transaction fund in the office of the treasurer of
37 17 state.

County auditors collected a \$5.00 fee for each recorded transaction from July 1, 2003 to June 30, 2004. The fee was reduced to \$1.00 per recorded transaction beginning July 1, 2004. The \$5.00 fee was collected for the purpose of planning and developing the County Land Record Information System, and the \$1.00 fee is collected for the purpose of paying the ongoing costs associated with integrating and maintaining the System.

37 18 3. County recorders shall collect only statutorily
37 19 authorized fees for land records management. County recorders
37 20 shall not collect fees for viewing, accessing, or printing
37 21 electronic land management documents until authorized by the
37 22 general assembly.

Requires county recorders to collect only those fees authorized by statute for land records management, and are prohibited from collecting fees for additional tasks unless authorized by the General Assembly.

37 23 4. The Iowa state association of counties shall provide
37 24 information to the government oversight committees and the
37 25 department of administrative services on or before July 1,
37 26 2005, defining all types of land management records,
37 27 identifying each county or state office that holds such
37 28 records, and specifying the fees associated with each of the
37 29 different types of records.

Requires the Iowa State Association of Counties to provide information to the Oversight Committees and the Department of Administrative Services on or before July 1, 2005, identifying all types of land management records, each county or State official that holds the records, and the fees associated with each of the different types of records.

37 30 5. The fees collected, including those previously
37 31 collected and deposited locally, pursuant to section 331.605C,
37 32 shall be transferred to the treasurer of state for deposit
37 33 into the local government electronic transaction fund.

Requires revenue resulting from the \$5.00 and \$1.00 fees collected for the purpose of developing and implementing the County Land Record Information System, to be transferred to the Treasurer of State for deposit into the Local Government Electronic Transaction Fund.

37 34 Sec. 81. EFFECTIVE DATE. This division of this Act, being
37 35 deemed of immediate importance, takes effect upon enactment.

Specifies that this Division is effective on enactment.

38 3 Sec. 82. Section 8A.502, subsection 5, paragraph c, Code
38 4 2005, is amended to read as follows:
38 5 c. The Iowa dairy industry commission as established in
38 6 chapter 179, the Iowa beef cattle producers association as
38 7 established in chapter 181, the Iowa pork producers council as
38 8 established in chapter 183A, the Iowa egg council as
38 9 established in chapter 184, the Iowa turkey marketing council
38 10 as established in chapter 184A, the Iowa soybean ~~promotion-~~
38 11 ~~board association~~ as ~~established~~ provided in chapter 185, and
38 12 the Iowa corn promotion board as established in chapter 185C.

Sections 82 through 110 of this Bill are technical corrective provisions. No specific explanation has been provided for these Sections, nor are these Sections included in the Code cites listing at the beginning of the NOBA.

38 13 Sec. 83. Section 8A.502, subsection 10, Code 2005, is
38 14 amended to read as follows:
38 15 10. Entities representing agricultural producers. To
38 16 control the financial operations of the Iowa dairy industry
38 17 commission as provided in chapter 179, the Iowa beef cattle
38 18 producers association as provided in chapter 181, the Iowa
38 19 pork producers council as provided in chapter 183A, the Iowa
38 20 egg council as provided in chapter 184, the Iowa turkey
38 21 marketing council as provided in chapter 184A, the Iowa
38 22 soybean ~~promotion-board association~~ as provided in chapter
38 23 185, and the Iowa corn promotion board as provided in chapter
38 24 185C.

38 25 Sec. 84. Section 10A.104, subsections 12 and 13, Code
38 26 2005, are amended by striking the subsections.

38 27 Sec. 85. Section 12D.9, subsection 2, Code 2005, is
38 28 amended to read as follows:
38 29 2. State income tax treatment of the Iowa educational
38 30 savings plan trust shall be as provided in section 422.7,
38 31 subsections 32, and 33, and 34, and section 422.35, subsection-
38 32 44.

38 34 paragraph 1, Code 2005, as amended by 2005 Iowa Acts, Senate
38 35 File 205, section 5, is amended to read as follows:

39 1 Review and approve or disapprove a life science enterprise
39 2 plan or amendments to that plan as provided in chapter 10C ~~as-~~
39 3 ~~that chapter exists on or before June 30, 2005,~~ and according
39 4 to rules adopted by the board. A life science plan shall make
39 5 a reasonable effort to provide for participation by persons
39 6 who are individuals or family farm entities actively engaged
39 7 in farming as defined in section 10.1. The persons may
39 8 participate in the life science enterprise by holding an
39 9 equity position in the life science enterprise or providing
39 10 goods or service to the enterprise under contract. The plan
39 11 must be filed with the board not later than June 30, 2005.
39 12 The life science enterprise may file an amendment to a plan at
39 13 any time. A life science enterprise is not eligible to file a
39 14 plan, unless the life science enterprise files a notice with
39 15 the board. The notice shall be a simple statement indicating
39 16 that the life science enterprise may file a plan as provided
39 17 in this section. The notice must be filed with the board not
39 18 later than June 1, 2005. The notice, plan, or amendments
39 19 shall be submitted by a life science enterprise as provided by
39 20 the board. The board shall consult with the department of
39 21 agriculture and land stewardship during its review of a life
39 22 science plan or amendments to that plan. The plan shall
39 23 include information regarding the life science enterprise as
39 24 required by rules adopted by the board, including but not
39 25 limited to all of the following:

39 26 Sec. 87. Section 15H.3, subsection 5, if enacted by 2005
39 27 Iowa Acts, House File 478, section 3, is amended to read as
39 28 follows:

39 29 5. Members shall serve staggered terms of three years
39 30 beginning ~~and ending as provided by section 69.19 July 1.~~
39 31 Members of the commission shall serve no more than two three-
39 32 year terms. Any vacancy shall be filled in the same manner as
39 33 the original appointment.

39 34 Sec. 88. Section 97.51, subsections 4 and 6, Code 2005,
39 35 are amended to read as follows:

40 1 4. Any public employee subject to coverage under the
40 2 provisions of chapter 97, Code 1950, as amended, in public
40 3 service as of June 30, 1953, and who has not applied for and
40 4 qualified for benefit payments under the provisions of chapter
40 5 97, Code 1950, as amended, who had contributed to the Iowa
40 6 old-age and survivors' insurance fund prior to the repeal of
40 7 ~~said~~ chapter 97, Code 1950, as amended, shall be entitled to a
40 8 refund of contributions paid into the Iowa old-age and
40 9 survivors' insurance fund by such employee without interest,
40 10 but there shall be deducted from the amount of any such refund
40 11 any amount which has been or will be paid in the employee's
40 12 behalf as the employee's contribution as an employee to obtain
40 13 retroactive federal social security coverage. Any former
40 14 public employee not in public service as of June 30, 1953, who
40 15 has contributed to the Iowa old-age and survivors' insurance
40 16 fund, the employee's beneficiaries or estate, when no benefit
40 17 has been paid under chapter 97, Code 1950, based upon such
40 18 employee's prior record, shall be entitled to a refund of
40 19 seventy-five percent of all contributions paid by the employee
40 20 into said fund, without interest. The department shall
40 21 prescribe rules in regard to the granting of such refunds. In
40 22 the event of such refund any individual receiving the same
40 23 shall be deemed to have waived any and all rights in behalf of
40 24 the individual or any beneficiary or the individual's estate
40 25 to further benefits under the provisions of chapter 97, Code
40 26 1950, as amended.

40 27 6. In the payment of any benefits in the future, as a
40 28 result of the provisions of chapter 97, Code 1950, as amended,
40 29 the department shall follow the same procedure as provided by
40 30 ~~said~~ chapter 97, Code 1950, as amended, as though said chapter
40 31 had not been repealed, except the requirements of ~~section-~~
40 32 ~~97.21~~, subsection 4, paragraph "a", and subsection 5 of
40 33 section 97.21, ~~subsection 5~~ Code 1950, shall not be
40 34 applicable, but no primary benefit, based upon employment
40 35 prior to June 30, 1953, shall be paid to any individual for

41 1 any month during which the individual receives compensation
41 2 for work in any position which would have been subject to
41 3 coverage under the provisions of ~~said~~ chapter 97, Code 1950,
41 4 as amended, if the individual's earnings for such month exceed
41 5 one hundred dollars, nor shall any benefit be paid to a wife
41 6 or dependent of such employee for such months, except that
41 7 after a retired member reaches the age of seventy-two years,
41 8 the member, the member's wife and dependents shall be entitled
41 9 to the benefits of this chapter regardless of the amount
41 10 earned.

41 11 Sec. 89. Section 97B.1A, subsection 8, paragraph b,
41 12 subparagraph (5), Code 2005, is amended to read as follows:
41 13 (5) Employees of the Iowa dairy industry commission
41 14 established under chapter 179, the Iowa beef cattle producers
41 15 association established under chapter 181, the Iowa pork
41 16 producers council established under chapter 183A, the Iowa
41 17 turkey marketing council established under chapter 184A, the
41 18 Iowa soybean ~~promotion board established under association as~~
41 19 provided in chapter 185, the Iowa corn promotion board
41 20 established under chapter 185C, and the Iowa egg council
41 21 established under chapter 184.

41 22 Sec. 90. Section 99D.13, subsection 2, Code 2005, is
41 23 amended to read as follows:
41 24 2. Winnings from each racetrack forfeited under subsection
41 25 1 shall escheat to the state and to the extent appropriated by
41 26 the general assembly shall be used by the department of
41 27 agriculture and land stewardship to administer section 99D.22.
41 28 The remainder shall be paid over to the commission to pay all
41 29 or part of the cost of drug testing at the tracks. To the
41 30 extent the remainder paid over to the commission, less the
41 31 cost of drug testing, is from unclaimed winnings from harness
41 32 ~~racing meets~~ race meetings, the remainder shall be used as
41 33 provided in subsection 3. To the extent the remainder paid to

41 34 the commission, less the cost of drug testing, is from
41 35 unclaimed winnings from licensed dog tracks, the commission
42 1 shall remit annually five thousand dollars, or an equal
42 2 portion of that amount, to each licensed dog track to carry
42 3 out the racing dog adoption program pursuant to section
42 4 99D.27. To the extent the remainder paid over to the
42 5 commission, less the cost of drug testing, is from unclaimed
42 6 winnings from tracks licensed for dog or horse races, the
42 7 commission, on an annual basis, shall remit one-third of the
42 8 amount to the treasurer of the city in which the racetrack is
42 9 located, one-third of the amount to the treasurer of the
42 10 county in which the racetrack is located, and one-third of the
42 11 amount to the racetrack from which it was forfeited. If the
42 12 racetrack is not located in a city, then one-third shall be
42 13 deposited as provided in chapter 556. The amount received by
42 14 the racetrack under this subsection shall be used only for
42 15 retiring the debt of the racetrack facilities and for capital
42 16 improvements to the racetrack facilities.

42 17 Sec. 91. Section 99D.13, subsection 3, unnumbered
42 18 paragraph 1, Code 2005, is amended to read as follows:
42 19 One hundred twenty thousand dollars of winnings from wagers
42 20 placed at harness ~~racing meets~~ race meetings forfeited under
42 21 subsection 1 in a calendar year that escheat to the state and
42 22 are paid over to the commission are appropriated to the racing
42 23 commission for the fiscal year beginning in that calendar year
42 24 to be used as follows:

42 25 Sec. 92. Section 126.23A, subsection 1, paragraph a,
42 26 subparagraph (1), as enacted by 2005 Iowa Acts, Senate File
42 27 169, section 3, is amended to read as follows:
42 28 (1) Sell a product ~~that contains more than three hundred~~
42 29 ~~sixty milligrams of pseudoephedrine~~ in violation of section
42 30 124.212, subsection 4.

42 31 Sec. 93. Section 126.23A, subsection 1, paragraph b,

42 32 subparagraph (3), as enacted by 2005 Iowa Acts, Senate File
42 33 169, section 3, is amended to read as follows:
42 34 (3) Require the purchaser to ~~legibly~~ sign a logbook and to
42 35 also require the purchaser to legibly print the purchaser's
43 1 name and address in the logbook.

43 2 Sec. 94. Section 126.23A, subsection 3, as enacted by 2005
43 3 Iowa Acts, Senate File 169, section 3, is amended to read as
43 4 follows:
43 5 3. A purchaser shall ~~legibly~~ sign the logbook and also
43 6 legibly print the purchaser's name and address in the logbook.

43 7 Sec. 95. Section 135.43, subsection 3, paragraph g, as
43 8 enacted in 2005 Iowa Acts, House File 190, section 2, is
43 9 amended to read as follows:
43 10 g. In order to assist ~~another~~ a division of the department
43 11 in performing the division's duties, if the division does not
43 12 otherwise have access to the information, share information
43 13 possessed by the review team. The division receiving the
43 14 information shall maintain the confidentiality of the
43 15 information in accordance with this section. Unauthorized
43 16 release or disclosure of the information received is subject
43 17 to penalty as provided in this section.

43 18 Sec. 96. Section 147.105, subsection 2, as enacted by 2005
43 19 Iowa Acts, House File 418, section 1, is amended to read as
43 20 follows:
43 21 2. Except as provided under subsections 5 and 6, a
43 22 clinical laboratory or a physician providing anatomic
43 23 pathology services to patients in this state shall not,
43 24 directly or indirectly, charge, bill, or otherwise solicit
43 25 payment for such services unless the services were personally
43 26 rendered by ~~a~~ the clinical laboratory or the physician or
43 27 under the direct supervision of ~~a~~ the clinical laboratory or
43 28 the physician in accordance with section 353 of the federal

43 29 Public Health Service Act, 42 U.S.C. § 263a.

43 30 Sec. 97. Section 231C.2, subsection 9, as amended by 2005
43 31 Iowa Acts, House File 585, section 3, is amended to read as
43 32 follows:

43 33 9. "Personal care" means assistance with the essential
43 34 activities of daily living, which may include but are not
43 35 limited to transferring, bathing, personal hygiene, dressing,
44 1 grooming, and housekeeping, that are essential to the health
44 2 and welfare of the tenant.

44 3 Sec. 98. Section 249.1, subsection 4, Code 2005, is
44 4 amended to read as follows:

44 5 4. "Previous categorical assistance programs" means the
44 6 aid to the blind program authorized by chapter 241, the aid to
44 7 the disabled program authorized by chapter 241A and the old-
44 8 age assistance program authorized by chapter 249 of the Code
44 9 of 1973.

44 10 Sec. 99. Section 249.10, Code 2005, is amended to read as
44 11 follows:

44 12 249.10 PRIOR LIENS, CLAIMS AND ASSIGNMENTS.

44 13 Any lien or claim against the estate of a decedent existing
44 14 on January 1, 1974, which lien was perfected or which claim
44 15 was filed under the provisions of section 249.19, 249.20, or
44 16 249.21 as they appeared in the Code of 1973, and prior Codes,
44 17 and which liens or claims have not been satisfied, are void.

44 18 Any assignment of personal property which was made under the
44 19 provisions of chapter 249 as it appeared in the Code of 1973,
44 20 and prior Codes, is void. The director may in furtherance of
44 21 this section release any lien or claim created or existing
44 22 under that chapter. Each release made pursuant to this
44 23 section shall be executed and acknowledged by the director or
44 24 the director's authorized designee, and when recorded shall be
44 25 conclusive in favor of any third person dealing with or

44 26 concerning the property affected by the release in reliance
44 27 upon such record.

44 28 Sec. 100. Section 257.28, Code 2005, is amended to read as
44 29 follows:

44 30 257.28 ENRICHMENT LEVY.

44 31 If a school district has approved the use of the
44 32 instructional support program for a budget year, the district
44 33 shall not also collect moneys under the additional enrichment
44 34 amount approved by the voters under chapter 442, ~~as it~~
44 35 ~~appeared in~~ Code 1991, for the budget year.

45 1 Sec. 101. Section 307.12, subsection 5, Code 2005, is
45 2 amended to read as follows:

45 3 5. Prepare a budget for the department, ~~subject to the~~
45 4 ~~approval of the commission~~, and prepare reports required by
45 5 law.

45 6 Sec. 102. Section 321.43, Code 2005, is amended to read as
45 7 follows:

45 8 321.43 NEW IDENTIFYING NUMBERS.

45 9 The department may assign a distinguishing number to a
45 10 vehicle when the ~~serial vehicle identification~~ number on the
45 11 vehicle is destroyed or obliterated and issue to the owner a
45 12 special plate bearing the distinguishing number which shall be
45 13 affixed to the vehicle in a position to be determined by the
45 14 director. The vehicle shall be registered and titled under
45 15 the distinguishing number in lieu of the former ~~serial vehicle~~
45 16 identification number.

45 17 Sec. 103. Section 321.65, Code 2005, is amended to read as
45 18 follows:

45 19 321.65 GARAGE RECORD.

45 20 Every person or corporation operating a public garage shall

45 21 keep for public inspection a record of the registration number
45 22 and engine ~~or factory~~ serial number or manufacturer's vehicle
45 23 identification number of every motor vehicle offered for sale
45 24 or taken in for repairs in said garage.

45 25 Sec. 104. Section 321.90, subsection 2, paragraph b, Code
45 26 2005, is amended to read as follows:

45 27 b. The application shall set out the name and address of
45 28 the applicant, and the year, make, model, and ~~serial vehicle~~
45 29 identification number of the motor vehicle, if ascertainable,
45 30 together with any other identifying features, and shall
45 31 contain a concise statement of the facts surrounding the
45 32 abandonment, or a statement that the title of the motor
45 33 vehicle is lost or destroyed, or the reasons for the defect of
45 34 title in the owner. The applicant shall execute an affidavit
45 35 stating that the facts alleged are true and that no material
46 1 fact has been withheld. An order for disposal obtained
46 2 pursuant to section 555B.8, subsection 3, satisfies the
46 3 application requirements of this paragraph.

46 4 Sec. 105. Section 327B.1, subsection 6, as enacted by 2005
46 5 Iowa Acts, House File 591, section 10, is amended to read as
46 6 follows:

46 7 6. A motor carrier ~~owner or driver~~ shall ~~carry~~ keep proper
46 8 evidence of interstate authority in the motor ~~carrier~~ vehicle
46 9 being operated by the motor carrier and the motor carrier
46 10 owner or driver shall make such evidence available to a peace
46 11 officer upon request.

46 12 Sec. 106. Section 331.606, subsection 3, Code 2005, is
46 13 amended to read as follows:

46 14 3. The county recorder may give the county sheriff the
46 15 records filed under this chapter or chapter 695 ~~of prior~~
46 16 ~~Codes, Code 1977,~~ pertaining to the sale and registration of
46 17 weapons or may dispose of those records if the sheriff does

46 18 not wish to receive the records.

46 19 Sec. 107. Section 602.1304, subsection 2, paragraph b,
46 20 Code 2005, as amended by 2005 Acts, House File 826, section 3,
46 21 is amended to read as follows:

46 22 b. For each fiscal year, a judicial collection estimate
46 23 for that fiscal year shall be equally and proportionally
46 24 divided into a quarterly amount. The judicial collection
46 25 estimate shall be calculated by using the state revenue
46 26 estimating conference estimate made by December 15 pursuant to
46 27 section 8.22A, subsection 3, of the total amount of fines,
46 28 fees, civil penalties, costs, surcharges, and other revenues
46 29 collected by judicial officers and court employees for deposit
46 30 into the general fund of the state. The revenue estimating
46 31 conference estimate shall be reduced by the maximum amounts
46 32 allocated to the Iowa prison infrastructure fund pursuant to
46 33 section 602.8108A, the court technology and modernization fund
46 34 pursuant to section 602.8108, subsection 7, the judicial
46 35 branch pursuant to section 602.8108, subsection 7A, and the
47 1 road use tax fund pursuant to section 602.8108, subsection 8,
47 2 ~~and amounts allocated to the department of public safety's~~
47 3 ~~vehicle depreciation account pursuant to section 602.8108,~~
47 4 ~~subsection 9,~~ and the remainder shall be the judicial
47 5 collection estimate. In each quarter of a fiscal year, after
47 6 revenues collected by judicial officers and court employees
47 7 equal to that quarterly amount are deposited into the general
47 8 fund of the state, after the required amount is deposited
47 9 during the quarter into the Iowa prison infrastructure fund
47 10 pursuant to section 602.8108A and into the court technology
47 11 and modernization fund pursuant to section 602.8108,
47 12 subsection 7, and after the required amount is allocated to
47 13 the judicial branch pursuant to section 602.8108, subsection
47 14 7A, ~~and to the department of public safety's vehicle~~
47 15 ~~depreciation account pursuant to section 602.8108, subsection~~
47 16 ~~9,~~ the director of the department of administrative services
47 17 shall deposit the remaining revenues for that quarter into the

47 18 enhanced court collections fund in lieu of the general fund.
47 19 However, after total deposits into the collections fund for
47 20 the fiscal year are equal to the maximum deposit amount
47 21 established for the collections fund, remaining revenues for
47 22 that fiscal year shall be deposited into the general fund. If
47 23 the revenue estimating conference agrees to a different
47 24 estimate at a later meeting which projects a lesser amount of
47 25 revenue than the initial estimate amount used to calculate the
47 26 judicial collection estimate, the director of the department
47 27 of administrative services shall recalculate the judicial
47 28 collection estimate accordingly. If the revenue estimating
47 29 conference agrees to a different estimate at a later meeting
47 30 which projects a greater amount of revenue than the initial
47 31 estimate amount used to calculate the judicial collection
47 32 estimate, the director of the department of administrative
47 33 services shall recalculate the judicial collection estimate
47 34 accordingly but only to the extent that the greater amount is
47 35 due to an increase in the fines, fees, civil penalties, costs,
48 1 surcharges, or other revenues allowed by law to be collected
48 2 by judicial officers and court employees.

48 3 Sec. 108. Section 602.8108, subsection 2, Code 2005, as
48 4 amended by 2005 Acts, House File 826, section 5, is amended to
48 5 read as follows:
48 6 2. Except as otherwise provided, the clerk of the district
48 7 court shall report and submit to the state court
48 8 administrator, not later than the fifteenth day of each month,
48 9 the fines and fees received during the preceding calendar
48 10 month. Except as provided in subsections 3, 4, 5, 7, 7A, and
48 11 8, ~~and 9~~, the state court administrator shall deposit the
48 12 amounts received with the treasurer of state for deposit in
48 13 the general fund of the state. The state court administrator
48 14 shall report to the legislative services agency within thirty
48 15 days of the beginning of each fiscal quarter the amount
48 16 received during the previous quarter in the account
48 17 established under this section.

48 18 Sec. 109. Section 633.10, subsection 5, Code 2005, is
48 19 amended to read as follows:
48 20 5. ACTIONS FOR ACCOUNTING.
48 21 An action for an accounting against a beneficiary of a
48 22 transfer on death security registration, pursuant to ~~this~~
48 23 chapter 633D.

48 24 Sec. 110. CONTINGENT EFFECTIVE DATE. The section of this
48 25 division of this Act amending section 10A.104 is contingent
48 26 upon the enactment of 2005 Iowa Acts, House File 770.

48 27 HF 882
48 28 mg:jp/es/25

Summary Data

General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006
	(1)	(2)	(3)	(4)	(5)
Administration and Regulation	\$ 0	\$ 0	\$ 0	\$ 0	\$ 538,928
Economic Development	0	0	0	0	0
Education	0	0	0	0	12,090,356
Health and Human Services	0	0	0	0	2,600,000
Justice System	0	0	0	0	2,016,000
Trans., Infra., and Capitals	0	0	0	0	125,000
Unassigned Standing	173,389,991	-5,000,000	168,389,991	270,714,827	111,409,510
Grand Total	<u>\$ 173,389,991</u>	<u>\$ -5,000,000</u>	<u>\$ 168,389,991</u>	<u>\$ 270,714,827</u>	<u>\$ 128,779,794</u>

Administration and Regulation

General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Commerce, Department of</u>						
Banking Division-Inc.	\$ 0	\$ 0	\$ 0	\$ 0	\$ 209,678	PG 7 LN 1
Professional Licensing-Inc.	0	0	0	0	54,250	PG 7 LN 11
Total Commerce, Department of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 263,928	
<u>Secretary of State</u>						
LLC Biennial Reporting	\$ 0	\$ 0	\$ 0	\$ 0	\$ 275,000	PG 6 LN 2
Total Administration and Regulation	\$ 0	\$ 0	\$ 0	\$ 0	\$ 538,928	

Economic Development

General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Economic Development, Dept. of</u>						
General Admin.	\$ 0	\$ 0	\$ 0	\$ 0	\$ -115,000	PG 6 LN 20
World Food Prize	0	0	0	0	115,000	PG 6 LN 31
Total Economic Development	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	

Education

General Fund

H.F. 882	Estimated FY 2005 (1)	S-House Act. FY 2005 (2)	Est. Net FY 2005 (3)	Gov Rec FY 2006 (4)	House Action FY 2006 (5)	Page & Line Number (6)
<u>Cultural Affairs, Dept. of</u>						
Gov. Record Archive	\$ 0	\$ 0	\$ 0	\$ 0	\$ 75,000	PG 5 LN 21
<u>Education, Department of</u>						
Administration						
School Sharing & Efficiencies	\$ 0	\$ 0	\$ 0	\$ 0	\$ 200,000	PG 6 LN 11
Grants & State Aid						
Empowerment Bd.	0	0	0	0	-1,000,000	PG 7 LN 21
Student Achievement-Incr.	0	0	0	0	8,900,000	PG 8 LN 2
Total Grants & State Aid	0	0	0	0	7,900,000	
Community College						
Community Colleges	0	0	0	0	1,515,356	PG 8 LN 10
Total Education, Department of	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 9,615,356</u>	
<u>Regents, Board of</u>						
Regents Operations	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,400,000	PG 9 LN 14
Total Education	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 12,090,356</u></u>	

Health and Human Services

General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Human Services, Department of</u>						
Medical Services						
PKU Assistance	\$ 0	\$ 0	\$ 0	\$ 0	\$ 100,000	PG 5 LN 12
Medicaid Reduction	0	0	0	0	-6,500,000	PG 9 LN 33
Total Medical Services	0	0	0	0	-6,400,000	
Child and Family Services						
Child Care Services Incr.	0	0	0	0	9,000,000	PG 10 LN 10
Total Health and Human Services	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>	<u>\$ 2,600,000</u>	

Justice System

General Fund

H.F. 882	Estimated FY 2005 (1)	S-House Act. FY 2005 (2)	Est. Net FY 2005 (3)	Gov Rec FY 2006 (4)	House Action FY 2006 (5)	Page & Line Number (6)
<u>Justice, Department of</u>						
Legal Services Poverty Grant	\$ 0	\$ 0	\$ 0	\$ 0	\$ 750,000	PG 28 LN 18
<u>Judicial Branch</u>						
Judicial Branch-Inc.	\$ 0	\$ 0	\$ 0	\$ 0	\$ 320,000	PG 28 LN 1
<u>Public Safety, Department of</u>						
State Patrol - Vehicle Revolvi	\$ 0	\$ 0	\$ 0	\$ 0	\$ 596,000	PG 25 LN 2
DCI Crime Lab	0	0	0	0	350,000	PG 28 LN 25
Total Public Safety, Department of	\$ 0	\$ 0	\$ 0	\$ 0	\$ 946,000	
Total Justice System	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,016,000	

Trans., Infra., and Capitals

General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Transportation, Department of</u>						
Civil Air Patrol	\$ 0	\$ 0	\$ 0	\$ 0	\$ 125,000	PG 5 LN 30

Unassigned Standing

General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Administrative Services, Dept. of</u>						
Mun. Fire & Police Retirement	\$ 2,745,784	\$ 0	\$ 2,745,784	\$ 2,745,784	\$ 2,745,784	PG 2 LN 31
<u>Education, Department of</u>						
Instructional Support	\$ 14,428,271	\$ 0	\$ 14,428,271	\$ 14,798,189	\$ 14,428,271	PG 2 LN 12
Child Development	11,271,000	0	11,271,000	11,271,000	11,271,000	PG 2 LN 15
Transportation - Nonpublic	7,955,541	0	7,955,541	8,005,541	8,273,763	PG 2 LN 21
Educational Excellence	55,469,053	0	55,469,053	55,469,053	55,469,053	PG 2 LN 28
Area Ed. Assoc. Reduction	0	0	0	0	-11,798,703	PG 4 LN 23
Early Intervention Block Grant	29,250,000	0	29,250,000	29,250,000	29,250,000	PG 12 LN 13
SAVE Program-Gen. Funds	5,000,000	-5,000,000	0	0	0	PG 13 LN 21
Total Education, Department of	\$ 123,373,865	\$ -5,000,000	\$ 118,373,865	\$ 118,793,783	\$ 106,893,384	
<u>Management, Department of</u>						
Cash Reserve Fund Goal	\$ 45,500,000	\$ 0	\$ 45,500,000	\$ 0	\$ 0	
<u>Revenue, Dept. of</u>						
Livestock Producers Credit	\$ 1,770,342	\$ 0	\$ 1,770,342	\$ 2,000,000	\$ 1,770,342	PG 2 LN 34
Homestead Tax Credit Aid	0	0	0	102,945,379	0	
Ag Land Tax Credit	0	0	0	20,000,000	0	
Military Service Tax Credit	0	0	0	2,494,000	0	
Elderly & Disabled Tax Credit	0	0	0	21,735,881	0	
Total Revenue, Dept. of	\$ 1,770,342	\$ 0	\$ 1,770,342	\$ 149,175,260	\$ 1,770,342	
<u>Treasurer of State</u>						
Endowment For Iowa Health	\$ 0	\$ 0	\$ 0	\$ 0	\$ 0	PG 11 LN 17
Total Unassigned Standing	\$ 173,389,991	\$ -5,000,000	\$ 168,389,991	\$ 270,714,827	\$ 111,409,510	

Summary Data

Non General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006
	(1)	(2)	(3)	(4)	(5)
Health and Human Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 9,447,109
Unassigned Standing	159,663,964	0	159,663,964	0	159,663,964
Grand Total	<u>\$ 159,663,964</u>	<u>\$ 0</u>	<u>\$ 159,663,964</u>	<u>\$ 0</u>	<u>\$ 169,111,073</u>

Health and Human Services

Non General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Human Services, Department of</u>						
LTC-Alt. Services-SLTF	\$ 0	\$ 0	\$ 0	\$ 0	\$ 2,947,109	PG 11 LN 9
Medicaid Increase-SLTF	0	0	0	0	6,500,000	
Total Health and Human Services	\$ 0	\$ 0	\$ 0	\$ 0	\$ 9,447,109	

Unassigned Standing

Non General Fund

H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
Revenue, Dept. of						
Homestead Tax Credit - CRF	\$ 102,945,379	\$ 0	\$ 102,945,379	\$ 0	\$ 102,945,379	PG 3 LN 22
Ag Land Tax Credit - CRF	34,610,183	0	34,610,183	0	34,610,183	PG 3 LN 25
Military Ser. Tax Credit-CRF	2,568,402	0	2,568,402	0	2,568,402	PG 3 LN 28
Elderly & Dis.Tax Credit-CRF	19,540,000	0	19,540,000	0	19,540,000	PG 3 LN 31
Total Unassigned Standing	\$ 159,663,964	\$ 0	\$ 159,663,964	\$ 0	\$ 159,663,964	

Administration and Regulation

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H.F. 882	Estimated FY 2005	S-House Act. FY 2005	Est. Net FY 2005	Gov Rec FY 2006	House Action FY 2006	Page & Line Number
	(1)	(2)	(3)	(4)	(5)	(6)
<u>Commerce, Department of</u>						
Banking Division-Inc.	0.00	0.00	0.00	0.00	2.00	PG 7 LN 1
Professional Licensing-Inc.	0.00	0.00	0.00	0.00	0.75	PG 7 LN 11
Total Administration and Regulation	0.00	0.00	0.00	0.00	2.75	